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'Comparing Men and Times'

**The Classical Sources and the Political Significance
of Ben Jonson's *Sejanus* and *Catiline* in
Early Jacobean and Restoration England**

(Two Volumes)

VOLUME ONE

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Ph.D. Thesis

University of Warwick

The Graduate School of Renaissance Studies

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Dedicated

To the memory of my parents

*Still are thy pleasant voices, thy nightingales, awake;
For Death, he taketh all away, but them he cannot take.*

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THESIS SUMMARY

The primary objective of this thesis is to examine the interaction between drama and politics in Ben Jonson's two surviving tragedies, *Sejanus* and *Catiline*, during the early years of the Jacobean and Restoration periods. Jonson relied heavily on classical scholarship in writing his two extant tragedies, his stated reason being to convince the readers of their "truth of Argument". But Jonson, nevertheless, adapted his sources in an ingenious way that both suited his dramatic purposes and served to cast light on social and political realities in the England of his own day. For Jonson, as for many Renaissance historians, the past had meaning primarily because of its valuable lessons for the present and the future. Thus, one of my aims is to examine both the nature and the extent of Jonson's dependence on the classical sources which provided him with the historical stories and details that he dramatized in the two plays. Successive English governments in the seventeenth century treated drama, especially that based on historical material, as a potentially dangerous medium for disseminating propaganda and for influencing public opinion against specific government policies. Therefore, part of this work will be devoted to discussing censorship regulations within early Jacobean and Restoration England, and to examining their effects both on Jonson and on the reception of his two tragedies. Each of the two plays is studied in the context of its historical sources in order to determine Jonson's method of adapting his sources as well as the extent of topicality that each play seems to provide, both on the Jacobean and the Restoration stage. The method adopted in this study is to place the two Roman tragedies within the contemporary setting for which they were originally intended and then within the context of the early Restoration period when the two plays are thought to have been revived.

Additional Index Words

Ben Jonson, *Sejanus*, *Catiline*, Roman plays, Renaissance tragedy, Roman history, Classical sources, State censorship, dramatic allusions, Jacobean politics, Restoration politics, drama and politics.

PREFACE

Despite the recent revival of interest in Jacobean plays that are closely engaged with current political realities, Ben Jonson's two surviving tragedies have surprisingly received limited scholarly attention. In an age when previously neglected works of seventeenth-century literature are being rediscovered or reassessed and thoroughly analysed, Jonson's *Sejanus* and *Catiline* have still not been assigned the literary importance they merit. Nor has their significance as dramatic "reflections" of early Stuart politics been adequately emphasized. Moreover, while Jonson's court masques, country-house poems and adulatory poems have been recently accorded major analytical studies which have demonstrated their political dimension, his two Roman tragedies remain generally neglected and undervalued. And the intermittent studies on these two plays have not sufficiently raised the modern reader's awareness of their literary qualities and of their importance in enhancing the view of the social and political panorama of early Stuart England.

Until recently, Jonson's two tragedies have been somewhat obscure, perhaps as a result of concentrating critical attention on the tragedies of Shakespeare and other contemporary playwrights. Disappointingly, most students of Renaissance drama in the present day know Jonson as the author of two or three comedies and have little knowledge of his tragedies. One of the contributory factors to this obscurity is the scarcity of editions of both plays available today. While *Sejanus* has been recently reproduced in an impressive Revels edition by Philip J. Ayres (1990), the recent edition of *Catiline* is still that by W. F. Bolton and Jane F. Gardner (1972), which is even out of print. Equally disappointing is the lack of willingness among contemporary theatre directors and producers to revive the two plays on the public stage. For over three centuries there has hardly been a single professional stage performance of either *Sejanus* or *Catiline*, the last recorded revival being that of the earlier tragedy by William Poel in 1928.

Jonson's two Roman tragedies have indeed received bad publicity since their initial performances on the Jacobean stage in 1603/4 and 1611, respectively. Jonson bitterly laments that the Globe audience was not impressed by either of his two tragedies and attributes the theatrical failure of these erudite plays to the ignorance and bad taste of his contemporary playgoers. Yet Jonson was proud of both plays and was rightly determined to preserve them for posterity.

In the modern period, critical opinion on the two tragedies is ambivalent but generally tends to underrate Jonson's talent as a writer of tragedy. T. S. Eliot perhaps sums up this opinion in his reference to the plays as Jonson's "two tragic failures" and in his description of *Catiline*, in particular, as a "dreary Pyrrhic victory of tragedy" (*Selected Essays*, 2nd. ed. (London, 1934, p. 148). Other critics, like De Villiers, have also claimed that Jonson "had no genius for tragedy" (Jacob I. De Villiers, 'Ben Jonson's Tragedies', *English Studies*, 54 (1964), 441.) A considerable number of modern critics still judge the two plays according to Shakespeare's and Aristotle's criteria of tragedy and attribute their failure as popular drama both to their classical erudition and to their lack of interest in individual psychology and motivation. In fact, it is only when they are discussed on their own merits as tragedies of state and as studies in statecraft that Jonson's two tragedies reveal their supreme dramatic achievement and political forcefulness.

In this thesis my aim is to study the literary and political aspects of both *Sejanus* and *Catiline* by discussing Jonson's impressive adaptation of his classical sources and his reconstruction of Roman history for the ultimate objective of casting light on the political realities of his own day and future ages. The lessons which Jonson makes available through the two tragedies and which are derived from the corrupt imperial Rome of *Sejanus* and the decadent republican Rome of *Catiline* are as relevant to various societies in different countries today as they were to Jonson's own society. The two plays recreate the past in order to warn the present and the future against the dangers of political corruption and social decay. The central objective of my thesis will thus be to discuss the social and political significance of the plays in the early years of both the Jacobean and Restoration eras in order to establish to what extent the plays were used as tools to allude to current controversial issues and to make indirect commentry on the arts of government in those eras.

My academic interest in Jonson's two tragedies grew out of a paper I had written on the portrayal of political power in Jonson's *Sejanus* and Shakespeare's *Coriolanus* as part of the requirements for my M.A. course. I then worked on a more lengthy paper on Jonson in which I studied the image of royalty and the significance of political language in a selection of Jonson's court masques. My research then increased my awareness of Jonson as a prime political writer in the English Renaissance and left me with some puzzling questions about his political theories as I noticed apparent discrepancies between Jonson's political attitudes in the masque and those in the two Roman tragedies. At the time, Jonson's conflicting attitudes to early Jacobean politics and monarchy seemed to me irreconcilable and stimulated me to pursue my research on this versatile dramatist.

My thesis on Jonson's two tragedies is divided into three parts. Part One deals, in two separate chapters, with Jonson's treatment and adaptation of the classical sources he drew upon for the composition of *Sejanus* and *Catiline*. Part Two views the two tragedies within their contemporary setting and looks at the government censorship of drama. Jonson's masques are also given particular consideration for what they can reveal about Jonson's attitude to James and his government. Part Three is devoted to discussing the literary and theatrical esteem as well as the political significance of Jonson's two tragedies in the first decade of the Restoration period. The two tragedies are examined within the social, political and intellectual contexts of the early years of the Restoration period, and the prospects of their esteem during this era are investigated. Chapter Eight concentrates on examining the pertinence of *Sejanus* to the social, political and religious atmosphere of the 1660s. At a time when the reign of Charles II was showing early signs of licence and corruption *Sejanus*, I shall argue, would have addressed the major issues of the day. Further, I shall attempt to demonstrate that the trial of Silius in Act Three had significant parallels with the trial of Sir Henry Vane in 1662/3, a major political event at the time, which may have added to the special interest in the play. Chapter Nine discusses the reception of *Catiline* on the Restoration stage when the play was revived in 1669 and was used to reflect specific social and political realities of the time.

Everyone who writes an analytical work on Jonson's two Roman tragedies needs to keep a close eye on the historical sources from which Jonson faithfully borrowed. For this reason, I have provided my own glossarial indices and appendices in a separate volume. The glossaries (A and B) explain classical names and technical terms which appear on almost every page in both *Sejanus* and *Catiline*. Knowing who is who in the two tragedies may be of special interest to those who would like to understand more about the historical counterparts of Jonson's characters as they existed in the sources. In the Appendices, I have provided Jonson's citations to his sources and a translated form of every borrowing I was able to trace. The translated editions I have used are mainly the Penguin Books series and the Loeb Library editions; each edition is specifically referred to in the Appendices.

In Appendix A, I cite and quote, where possible, the classical sources Jonson relied on for writing *Sejanus*. References to the sources of *Sejanus* were originally provided by Jonson himself in the marginal annotations to the Quarto edition, and they have been reproduced by H. & S., *Ben Jonson*, IV, 473-85. Appendix B gives citations to Jonson's sources of *Catiline* and a translated form of every significant source. Again, the majority of the citations have been earlier provided by H. & S., *Ben Jonson*, X, 122-65. The two Oxford editors, however, provide only the original (i.e. Latin) passages of Jonson's sources for *Catiline*, and subsequent scholars, insofar as I am aware of, have not produced an English translation of the citations. Therefore, I have given in Appendix B the translated forms of all significant passages. I have also reproduced in the Appendices (C and D) the texts of the trials of Sir Walter Raleigh (1603/4) and Sir Henry Vane (1662/3) as they both form integral parts of my argument in Chapter Four and Chapter Eight, respectively. The texts of the trials have been reproduced from Cobbett's *Complete Collection of State Trials*: "The Trial of Sir Walter Raleigh" is taken from volume 2 (1603-27), published (London, 1809), 1-60; and "The Trial of Sir Henry Vane" is from volume 6 (1661-78), published (London, 1810), 119-202.

ABBREVIATIONS

WORKS OF REFERENCE, ETC.

Chambers	E. K. Chambers, <i>The Elizabethan Stage</i> , 4 vols. (Oxford, 1923).
<i>E.C.</i>	<i>Essays in Criticism</i> .
<i>E.L.H.</i>	<i>English Literary History</i> .
<i>E.L.N.</i>	<i>English Language Notes</i> .
<i>E.L.R.</i>	<i>English Literary Renaissance</i> .
<i>E.S.</i>	<i>English Studies</i> .
<i>H. & S.</i>	C. H. Herford and Percy and Evelyn Simpson (eds.) , <i>Ben Jonson</i> , 11 vols. (Oxford, 1925-52).
<i>J.A.B.</i>	J. F. Bradley and J. Q. Adams, <i>The Jonson Allusion Book: a Collection of Allusions to Ben Jonson from 1597-1700</i> (New Haven, Oxford and London, 1922).
<i>M.L.N.</i>	<i>Modern Language Notes</i> .
<i>M.L.Q.</i>	<i>Modern Language Quarterly</i> .
<i>M.L.R.</i>	<i>Modern Language Review</i> .
<i>M.P.</i>	<i>Modern Philology</i> .
<i>N.L.H.</i>	<i>New Literary History</i> .
<i>N. & Q.</i>	<i>Notes and Queries</i> .
<i>P.M.L.A.</i>	<i>Publications of the Modern Language Association of America</i> .
<i>P.Q.</i>	<i>Philological Quarterly</i> .
<i>Ren.D.</i>	<i>Renaissance Drama</i> .
<i>Ren.Q.</i>	<i>Renaissance Quarterly</i> .
<i>R.E.S.</i>	<i>Review of English Studies</i> .
Riddell,	'Seventeenth-Century Identifications of Jonson's Sources in the Classics', <i>Ren.Q.</i> , XXVIII (1975), 204-18.
<i>S.B.</i>	<i>Studies in Bibliography</i> .
<i>S.E.L.</i>	<i>Studies in English Literature 1500-1900</i> .
<i>S.P.</i>	<i>Studies in Philology</i> .
<i>Sh.S.</i>	<i>Shakespeare Survey</i> .
<i>T.L.S.</i>	<i>Times Literary Supplement</i> .

TEXTS

The Jonson works cited are abbreviated as in Herford and Simpson.

<i>Alc.</i>	<i>The Alchemist</i> .
<i>B.F.</i>	<i>Bartholomew Fair</i> .
<i>C.R.</i>	<i>Cynthia's Revels</i> .
<i>Cat.</i>	<i>Catiline</i> .
<i>Conv. Drum.</i>	<i>Conversations with Drummond</i> .

<i>D. is A.</i>	<i>The Devil is an Ass.</i>
<i>Disc.</i>	<i>Discoveries.</i>
<i>E.H.</i>	<i>Eastward Ho!.</i>
<i>E.M.I.</i>	<i>Every Man In His Humour.</i>
<i>E.M.O.</i>	<i>Every Man Out of His Humour.</i>
<i>Ep.</i>	<i>Epigrams.</i>
<i>Epist.</i>	<i>Epistle.</i>
<i>F.</i>	<i>Jonson's Works (1616).</i>
<i>F2.</i>	<i>Jonson's Works (1640).</i>
<i>For.</i>	<i>The Forest.</i>
<i>N.I.</i>	<i>The New Inn.</i>
<i>Q.</i>	<i>1605 quarto of Sejanus.</i>
<i>S.W.</i>	<i>Epicoene, or, The Silent Woman.</i>
<i>Sej.</i>	<i>Sejanus.</i>
<i>U.V.</i>	<i>Ungathered Verse.</i>
<i>Und.</i>	<i>Underwoods.</i>
<i>Volp.</i>	<i>Volpone.</i>

Unless otherwise indicated, all references are to the Herford and Simpson edition, henceforth referred to as H. & S., *Ben Jonson*, followed by the number of the volume and the page(s).

Introduction

Recent literary criticism of Jonson's two Roman tragedies has been markedly dominated by the tendency to read both plays as being closely engaged in the politics of early Jacobean England. This tendency has emanated partly from the fairly novel trend that seventeenth-century plays can be interpreted to best effect when seen in their immediate context of time and place. Advocates of this trend argue that a given play of the period has one invariable meaning which can be best elucidated by viewing the extant text within the setting for which it was originally intended. Due to its mimetic qualities and to its role as the major medium of mass propaganda, Jacobean drama can reflect the broad features of its current social and political milieus. Accordingly, great emphasis has been laid on re-analysing extant plays which are particularly involved with issues of social, political and religious import. A perfect reconstruction of the contemporary setting of a seventeenth-century dramatic text is, of course, practically impossible since crucial information about the original performance, the original audience and in some cases the acting version of a specific play may have not survived. Achieving a genuine understanding of a given Jacobean play, therefore, entails having an awareness of the social and political circumstances that prevailed when the text was first composed.

Such an approach further implies that familiarity with the contemporary connotations of a given play can uncover information about its author's allegiance or prejudices as well as something about the composition and the major concerns of its original audience. Moreover, as dramatists in the seventeenth century required the patronage and protection of influential aristocrats, a given dramatic work is also likely to bear vestiges of the partiality or preference of a specific patron or court faction at the time when the work was written. Interpretive studies of this kind

consequently focus more on the social and political forces at work when a given text first appeared than on the ethical qualities or aesthetic merits of the text itself. According to this view, a dramatic text that seems to have political implications may have been (or was intended to be) used as a tool of propaganda either to support or to condemn controversial government policies during times of social, political or religious uncertainty.

This mode of criticism of early Stuart drama has, by necessity, a historical and sociological focus. Adherents to this trend have, by necessity, acquired more knowledge about the contemporary setting of the texts they deal with than their predecessors. As a consequence, their academic work is a blend of both literary and historical scholarship, and sometimes it is hard to establish whether a specific work of criticism was written by a literary interpreter or by a historian. This interdependence between history and literature of the period under question can be best summed up in an apposite comment by Christopher Hill, one of the leading historians of the period:

It does not seem to me possible to understand the history of seventeenth-century England without understanding its literature, any more than it is possible, fully to understand the literature without understanding the history.¹

Indeed, in the last few decades many historians like Hill have relied on literary texts of the seventeenth century in order to enhance their view of the social, economic and religious aspects of the period. They have accordingly profited by textual evidence in authenticating or refuting long-held beliefs or assumptions concerning certain areas of interest.² To such historians, Stuart literature in general and dramatic texts in particular are valuable records that contain revealing information about various aspects of life in contemporary England.

In the same way, literary critics of the seventeenth century have availed themselves of the extensive scholarship provided by social and political historians of the period and have consequently attained fresh interpretations of Stuart drama. As a result, the academic investigations in the last decade or so by such scholars as J.

Dollimore, M. Butler, J. Goldberg, M. Heinemann and J. Limon, among others, have impressively demonstrated the interaction between drama and society in seventeenth-century England.³ The majority of such works tend to emphasize the role of contemporary drama as a political tool used to criticize or undermine unpopular government policies, particularly under the reign of James I. This is reflected in the terms that appear in most titles of recent studies on Stuart drama, terms as "Radical Tragedy", "Opposition Drama", "Dangerous Matter", "Theatre and Crisis" and "Anticourt Drama". As such titles and the studies themselves demonstrate, Stuart drama largely represents periods of political, social and religious tension. Accordingly, the old belief that stability and popular consent within Tudor and Stuart England were maintained in accordance with the so-called "Elizabethan World Picture", in which the ruled accepted their position within the social hierarchy without reservation, and that drama served primarily to support the political system and to maintain the *status quo*, no longer finds genuine support amongst recent critics. "Corresponding to nothing in the experience or speculative thought of the age," J. W. Lever succinctly argued of Jacobean monarchy, "this creed of absolutism served chiefly to bolster up a precarious monarchy which lacked a standing army or sufficient police force."⁴ Subsequent critics have followed Lever's seminal approach in viewing Jacobean drama as the chief medium of expressing discontent with current social and political conditions. In a revealing essay, Margot Heinemann has recently shown the pervasive influence of Stuart politics on contemporary drama and has enhanced our view of the close relationship between drama and society in that period.⁵

Jonson's two surviving tragedies, *Sejanus* and *Catiline*, display conspicuous signs of deep involvement with current social and political realities. By dramatizing two bleak episodes from Roman history at a time of political uncertainty and widespread social decadence in early Jacobean England Jonson seems to have deliberately intended his two tragedies to have a bearing on contemporary politics. Jonson's implicit objective was to provide his own version of the ideal social and

political system in contemporary England at the beginning of a new reign and to warn the present against the mistakes of the past. In general terms, Jonson's two Roman tragedies demonstrate the danger of amoral struggle in the political arena and the uncertainty of worldly power.

On another level, the two tragedies can be seen as attempts on Jonson's part to explore the place of oratory in political life and demonstrate his own skills in the matter. In *Cynthia's Revels* (1600), Jonson had expressed his intention to employ "Words, aboue action: matter, aboue words" ("Prologue", l. 20). In *Sejanus* and *Catiline* he seems to have realised this aim. The central characters in each tragedy strive to use the art of oratory as a weapon against their opponents: Tiberius against Sejanus; Cicero against Catiline. Further, the downfall of the eponymous character in each tragedy is brought about by an adept utilization of rehetoric: Tiberius's equivocating letter to the Senate causes Sejanus's destruction, while Cicero's orations precipitate Catiline's defeat. Jonson's technique in both tragedies thus serves to highlight the importance of the art of rhetoric in the Renaissance and indirectly argues that the poet and dramatist, as the master of language who is endowed with a great knowledge of classical literature, is an ideal counsellor for the monarch. This is particularly evident in the emphasis Jonson lays on Cicero's orations and the credit he gives the famous orator for having, through the masterful use of language, saved his country from imminent destruction.

In more specific terms, the first extant tragedy portrays the evils of tyranny and the perils of excessive power when invested in ruthless and self-centred politicians. The play also warns against the disastrous consequences on the body politic of flattery and obsequiousness, and highlights the need for able and disinterested counsellors to aid the King in the well-management of public affairs. *Catiline* depicts the dangers of social corruption and political instability and advocates moderation and a return to old civic virtues. Both plays draw the conclusion that a corrupt and decadent society will inevitably engender evil men like Sejanus and Catiline and despots like Tiberius and Caesar. Though Jonson relied

heavily and meticulously on historical sources for his material, he deftly created a second layer of meaning in each of the two Roman tragedies, thus allowing both plays to allude to current political realities.

The task of elucidating the topical meaning of a Stuart play and of identifying its allegedly coded messages is an arduous one and fraught with considerable difficulties. The misinterpretation or exaggeration of contemporary evidence about the supposed topicality of a given play can of course yield absurd conclusions neither intended by the dramatist nor perceived by the original audience. As a present-day critic has commented, "Modern attempts to discover and interpret Elizabethan allegory have produced such absurdities at the hands of over-zealous devotees, that a scholar who desires a reputation for sanity hardly ventures to touch the subject."⁶ Owing mainly to government regulation of censorship over drama, in addition to the dramatists' self-censorship during this period, the world as portrayed in a dramatic text is often a distorted one though it is still likely to offer considerable analogies to the real world outside its dramatic confines. An interpreter of a given dramatic text therefore has to embark on a painstaking process of identifying covert allusions in the text with established facts about the period to which such a text belongs. Elizabethan and Jacobean playgoers expected contemporary plays to include implicit references and indirect parallels to current events of interest and to living personages. Dramatists, and in many cases actors (on their own initiative), occasionally bowed to this popular expectation. In this way, seventeenth-century plays can be seen as the tabloid newspapers or even topical satires on television at the present time. Yet, unlike in modern-day democracies, glancing at current political matter in seventeenth-century England incurred serious consequences for those responsible.

Accusing or suspecting dramatists of deliberately alluding to current controversial issues or to living personages was thus commonplace during this period. Understandably, dramatists often protested their innocence. Jonson himself often insisted that his dramatic material was innocuous and he harshly criticized

those who accused him of intentionally making allusions to contemporary events and personalities; he thus urged his audience and readers

... that they neither in themselves conceal, nor suffer by them to be concealed any state-decipherer, or politic picklock of the scene, so solemnly ridiculous as to search out who was meant by the gingerbread-woman, who by the hobby-horse man, who by the costermonger, nay, who by their wares.

Though there is truth in Jonson's words, it is not the whole truth. There were no doubt accidental analogies not originally intended by the playwrights, but some plays, however, contained allusions for which their authors were directly responsible. Understandably, it was likely that dramatists would disavow such allusions. Yet, being aware of the nature of seventeenth-century drama, the modern reader cannot easily believe their claims, nor is it unusual that the contemporary authorities did not either.

Government officials in the seventeenth century were well aware of the potentiality of drama as an efficient medium of mass propaganda. In Jacobean society in particular, where the majority of the population were illiterate, contemporary authorities recognised that dramatic texts could either be used as tools in the struggle for political power by certain court factions or as a means of disseminating particular views and influencing public opinion. Drama and politics were then contiguous territories, and seventeenth-century authorities were alarmed every time dramatists were seen to disregard the established borders.

In Stuart England the popular interest in current politics stemmed primarily from the deep concern of the nation over the personal character of the monarch and the conduct of his private advisers. In the seventeenth century the monarch, unlike in modern times, ruled as well as reigned. Thus, contemporary interest in Stuart politics was not merely a matter of popular curiosity in the royal household, as is the case with the modern monarchy, but a question of great importance, as the King had a direct impact on various aspects of public life. Being both head of state and head of the Anglican Church, the King had the determining influence on the

political and religious events of the reign. He was aided in his management of public affairs by his Privy Council - a political body equivalent to the modern term of "government". The King, however, had sole control over matters of state and made decisions concerning foreign policy and declaring war. Yet, in theory he was expected to rule in conjunction with his Parliament - the people's elected representatives. In practice, however, this was not the case. The three Stuart kings frequently asserted their royal prerogatives and raised the issue of the divine right of kings as they argued for their independence from their respective Parliaments.

Before his accession to the English throne in 1603, King James had already expounded his political views about the concept of divine right of kings. In 1598 he had written *The Trew Law of Free Monarchies*, a political treatise originally printed anonymously and designed to strengthen James's position in Scotland against threats by the Kirk and to discourage possible rebellions by Scottish aristocrats. Tension between James and his opponents in Scotland had arisen over the rival claims of precedence between King and Church. The Presbyterians had then argued that a monarch, being a civil magistrate, should be subject to the power of the Church, whereas James had strongly maintained that a monarch had an authority invested in him not by the Church but by God. To reinforce his claims, James cited passages from the Bible: Kings, he reminded his opponents, were appointed by God to rule over Isreal (II Samuel, 7.); in Proverbs, 8. 15, God explicitly reveals the divine nature of kingship, "By me kings reign, and Princes decree justice," and in John 19. 11, Christ tells Pilate: "Thou couldest have no power at all against me, except it were given thee from above."⁸

In *The Trew Law* James had also emphasized his conviction in the hereditary succession and legitimate descent of monarchs. Since James's own claim to the English throne was based on heredity (James being a descendant of Henry VII) and not on a legal right, it was not surprising that he should lay stress on the hereditary principle of kingship. But in spelling out his principles of divine kingship James aimed not only at claiming his rightful succession to the English throne but also at

expounding his own definition of royal sovereignty to his subjects. He maintained that since kingship was instituted and sanctioned by God it was inalienable from monarchs by any mortal men. Even a bad king, James wrote, must not be resisted by his subjects, on the ground that such a king would have been appointed by God either as a punishment to the people or to serve a design incomprehensible to them. Again, James relied on the Bible to support his claim. Samuel had informed the Israelites that kings might be callous and despotic, but their authority, like that of parents, should not be resisted. As the king has a duty and an obligation towards his people, to establish good laws and to administer justice on earth, his people in turn have to be obedient to him. On the contentious issue of the rival prerogatives of the king and his parliament, James argued that since kings existed long before parliaments, and since they were the makers of laws, not the laws the makers of kings, the latter had precedence and complete supremacy over parliaments. James further claimed that the king was an absolute entity, with no specific reciprocal duties. Such claims no doubt alarmed his enemies in Scotland as much as it disheartened his future subjects in England.

James's theories of statecraft are most fully expounded in his book, *Basilikon Doron*. Written in 1599 and intended primarily as a political manual for his son Prince Henry (the title literally means "The Gift of the King"), this book was reprinted in 1603, soon after Elizabeth's death and the nomination of James as the next monarch of England. The reprinting of the book at that time was intended primarily to give Englishmen the opportunity to familiarize themselves with the political views of their new monarch. In *Basilikon Doron*, James's focus falls on two major areas which he clearly defines to the young Prince: the divinity inherent in kingship and the humanity of the monarch.

In the dedicatory sonnet to *Basilikon Doron*, James explicitly outlines his own political theory of the divinely sanctioned kingship. God, he insists, invests kings with "the style of Gods" so that kings can wield God's sceptre on their respective thrones. Kingship, James writes echoing his view in the *Trew Law*, is

patriarchal in that a king is a father to his people in the same way that God is the father of all men. Accordingly, a king deserves the obedience of his people, while the king's own obedience is to God, to whom he is accountable in his behaviour and action. The affinities between God and kings are a recurrent theme in *Basilikon Doron*: the sovereign is "a little God"; kings are "the breathing images of God", "God's Lieutenants" and finally "even by God himself they are called Gods." Kings are instituted as God's representatives on earth and are thus endowed with the divine attributes of omniscient wisdom and absolute authority.

Was James's declared belief in the godlike status of kings genuine? Unfortunately, it is hard to provide a clear-cut answer to such a question. However, there is good reason to assume that James's views were all part of what is in modern times called the art of public image-making. Seen in this light, James's own perception of monarchy resembles the political cults of many modern absolute rulers who maintain their regimes against possible opposition by means of demagoguery and extreme political theories. As has been noted earlier, James's views about the divine right of kings were necessitated largely by the urgent need to delegitimize possible rebellions against him in Scotland. Moreover, James, as repeated references in *Basilikon Doron* reveal, is aware that monarchs have a public role to play; in his advice to his son, he uses the theatrical metaphor to inform the prince that

Kings being publike persons, by reason of their office and authority, are as it were set (as it was said of old) upon a publike stage, in the sight of all the people; where all the beholders' eyes are attentively bent to looke and pry in the least circumstances of their secretest drifts: which should make Kings the more carefull not to harbour the secretest thought in their minde, but such as in the[ir] owne time they shall not be ashamed openly to avouch; assuring themselves that Time, the mother of veritie, will in the due season bring her owne daughter to perfection.

But as public performances are open to various interpretations as well as to misinterpretation, the role of a king, James adds, can be opaque or even misunderstood altogether:

It is a trew old saying, that a king is as one set on a stage, whose smallest actions and gestures, all the people gazingly doe behold: and therefore

although a King be never so precise in the discharging of his Office, the people, who seeth but the outward according to the outward appearance, if his behaviour bee light or dissolute, will conceive pre-occupied conceits of the King's inward intention: which although with time, (the trier of all trewth), it will evanish, by the evidence of the contrary effects, yet *interim patifus instus*; and pre-judged conceits will, in the meane time, breed contempt, the mother of rebellion and disorder.⁹

Being a public figure, a king, according to James, should be true to himself and his outer behaviour should also be in accord with his inner thoughts. James adds that a king should exemplify the law he imposes upon the people "with his vertuous life in his owne person, and the person of his court and company; by good example alluring his subjects to the love of virtue, and hatred of vice." James further instructs Prince Henry that a king should be seen as an example to his nation in his public conduct: "Let your owne life be a law-booke and a mirrour to your people, that therein they may read the practice of their owne lawes; and therein they may see, by your image, what life they should leade."¹⁰

Did James put this theoretical idealism into practice and did he reflect it in his public behaviour? A cursory survey of his reign shows that the answer is in the negative. To many of his subjects, James did not live up to his principles. Two leading contemporary commentators, for example, attributed to James the blemishes of artful politicians, namely, artifice and pretentiousness. One of these commentators, Sir Anthony Weldon, claimed that James's private motto was "Qui nescit dissimulare, nescit regnare" - "He who does not know how to dissimulate does not know how to reign"; the other, Arthur Wilson, reported that "Some parallel'd him to Tiberius for dissimulation" - a view in sharp contrast with James's stated principles in *Basilikon Doron*.¹¹ It is interesting to note that Jonson would, in the same year when *Basilikon Doron* was reprinted, produce his Roman tragedy *Sejanus*, in which the emperor Tiberius is portrayed as a master in the art of dissimulation (see I. 394-95); Tiberius is also presented as acting out a public role which does not conform with his thoughts - in the intriguing dialogue about the dark heart of politics, he tells Sejanus: "We can no longer /Keep on our mask to thee, our dear Sejanus" (II. ll. 278-79). If, as will be noted below, *Sejanus* was first

performed at Court in 1603, it is likely that James was unimpressed with a play that presented a ruler as cunning and devious. It is unlikely, however, that Jonson would have intended any parallels between James and Tiberius at this stage when the poet was trying to impress James and secure his favour.

In the process of demonstrating the divinity of kingship James is keen to create an aura of sacredness and mysteriousness round kings. He claims that since kings are endowed with divine wisdom, which is sometimes incomprehensible to humans, the policies adopted by kings must never be questioned or opposed. His presentation of monarchy as an omnipotent power thus gives little significance to parliaments. As ordinary mortals, parliamentarians have only a secondary function which is to give advice to the monarch but never to impose their will on him or to constrain him to follow a specific course of action in matters of great importance.

If such extreme views were initially intended to counter the radical claims of the Kirk and the immoderate Protestants in Scotland, one may assume that they were received with some unease in England in 1603. But whether James's views of the divine right of kings were directly questioned or seriously resisted during his reign is hard to establish. Bishops no doubt shared James's views in the same way that such views strengthened their position and increased their power. As for the majority of ordinary people, the sacredness and mystique of monarchy were accepted as integral parts of the concept of monarchy itself. Any serious opposition and challenge to James's radical principles about divine monarchy, if they existed at all, must have been posed by his Parliaments and perhaps by members of the educated classes of society.

James's concept of divine monarchy was not, of course, compatible with the principles of Parliaments as elected assemblies. Throughout the Stuart age there would be a long succession of disagreements between Stuart kings and their Parliaments. Such disagreements would result from the insistence of the monarch on the precedence of his royal prerogatives over the privileges of the Parliaments. Parliaments themselves often defended their own prerogatives, reminding the King

of his obligation to rule in accordance with custom and ancient laws. Yet the monarch almost always had matters his own way and restricted the powers of Parliament, allowing it to meet only when he needed it to vote for supplies. Tension between the King and his Parliaments over their respective prerogatives was a recurrent issue in the period¹² and was later to culminate in the English civil wars. Fears then inevitably grew as James was seen to be imitating the type of absolutist rule adopted by his counterparts on the Continent, particularly in France and Spain.

The Jacobean state machine, however, had its apparent differences from those of neighbouring monarchies in Europe. England neither had a standing army nor a proper bureaucracy nor an efficient state police to administer law and order. Instead, the Jacobean government, like its predecessor, relied on informers and secret agents, and the King bestowed honours and high offices on courtiers who served at the centre of administration. For their payments, such courtiers relied on what they could make out of their posts in the form of fees, fines and even bribes. Offices were bought and held for life, and some courtiers were rewarded for certain services to the Crown with patents and monopolies - a practice which stirred great popular resentment. This, in simple terms, was the mechanism that helped the Jacobean authorities control the nation and administer law and order.

This atmosphere inevitably bred corruption in the heart of Jacobean rule: the court. Influential courtiers used their offices to gain wealth and to consolidate their position within the establishment. The Jacobean era was marked from its inception by factional rivalry and political intrigue, as courtiers competed unscrupulously for James's favours. Henry Howard, a Catholic courtier out of favour in the last years of Elizabeth's reign, together with Robert Cecil, plotted the fall of his rival Sir Walter Raleigh and his allies, who were subsequently implicated in the so-called Main- and Bye-plots early in James's reign. This bitter political reality then raised doubts about the suitability of the King's counsellors and increased the popular concern for the right personal conduct that should be adopted by those who aided

the King in his management of state affairs. Disillusionment deepened later in the period as the court was seen as the fountainhead of vice and corruption that pervaded various strata of the body politic. And it was not long before the Elizabethan era was greatly missed and romanticized in contemporary writings that pleaded for a revival of the old virtues.

That Jonson should turn in the first decade of the Jacobean era to writing political tragedies is thus hardly surprising. The last years of Elizabeth's reign had witnessed a palpable decrease in the optimism and stability that had marked the earlier years of the period. The Essex Rebellion, though successfully put down by the authorities, had shown the vulnerability and fragility of the political establishment. It had also disturbed the harmony of the body politic and raised doubts about the genuine allegiance of state ministers to their monarch. This sense of instability was further deepened by the political uncertainty of the succession issue to the throne as the ageing Queen refused to name a successor. Contemporary intellectuals no doubt felt that such uncertainty would invite trouble and tempt aspiring courtiers to seize power at a time of political uncertainty.

The peaceful accession of James to the English throne was greeted with popular relief. James's past experiences of kingship in Scotland and his natural candidacy for the English Crown were assets that smoothed the transition of political power and raised hopes for a new prosperous era. But the optimism and rejoicing reflected in the ceremonies of the royal entry into London was short-lived and disillusionment soon followed. The new king showed ominous signs of vice and corruption, which later became synonymous with the court. James's bestowal of favours on his kinsmen, his notorious fondness for handsome men and his indiscriminate creation of titles, in addition to his neglect of state affairs in favour of his pastimes of drinking and hunting, and his prodigal spending, all combined to widen the discrepancy between the idealism with which the court was portrayed and the bitter reality of court life. The contemporary revulsion towards the Jacobean court can be summed up, for example, in Walter Raleigh's words: "Say to the Court

it glows /And shines like rotten wood."¹³ Moreover, James's persistent talk of divine right heightened the tension with his Parliament, and his mishandling of economic, religious and political affairs in the first decade of his reign led to such crises as the Main- and Bye-Plots (1603), the Gunpowder Plot by disaffected Catholics (1605), peasant riotings in the Midlands (1607), and Parliament's Petition of Grievances (1610).¹⁴

For Jonson, as for many contemporary dramatists, the temptation to reflect the political realities of the time was therefore considerable. In the absence of other effective means of mass propaganda in this period, drama was the major vehicle of disseminating information and comments relating to current issues of interest. In addition to Jonson's own interest in contemporary politics, there was the financial temptation to deal with political issues through drama. As Jacobean theatre companies depended heavily on a paying audience, plays dealing with "dangerous matter" were in some cases good box office. This, however, as will be seen below, was not the case with either of Jonson's two extant tragedies: both plays were theatrical failures on the contemporary stage. To the less educated among Jonson's audience, the topical references in *Sejanus* and *Catiline* were perhaps not salient enough to recognise.

With the government rules of censorship imposed on dramatic texts, Jonson and his contemporary dramatists were restricted in their freedom to touch on sensitive current political issues. During the Jacobean era, state control over printed material and drama in particular was more strict than it was in previous periods. Plays in their script forms and royal entertainments had to be licensed by the Master of the Revels, a state official whose duty was to examine play-scripts and to suppress texts that commented critically on the policies or conduct of the court. He could therefore demand cuts of passages that he deemed subversive and could even ban a performance altogether. Jonson, for example, had to rewrite the stage version of *Sejanus* when he prepared it for publication in 1605 and added a cautious passage in which he claimed that the subject matter was intended as a warning to ambitious

favourites who plotted the overthrow of their sovereign monarchs. Chapman's double play of *Byron*, which alluded to recent French events, also underwent considerable cuts and alterations before it was published in 1608. Though the original version had been allowed on the stage by the Master of the Revels, the play was later banned after complaints by the French ambassador.¹⁵

These and other contemporary examples indicate that censorship of dramatic texts during this period was sometimes biased and erratic. Though the Master of the Revels was directly responsible to the King, he sometimes came under pressure from various court factions to license plays that contained material supporting their own policies. This attitude may explain the licensing of Middleton's *A Game at Chess* (1624), an allegorical play which reflected the anti-Spanish sentiment which represented the views of a great majority of Englishmen who opposed James's wish to marry Prince Charles to a Spanish Infanta. The play ran for nine successive performances before the Spanish ambassador intervened and had it banned. In other cases, the Master was also requested by influential figures to ban a performance which they considered offensive to them personally. For instance, in early 1610 the King's cousin Arbella Stuart made a complaint against a play, almost certainly Jonson's *Epicoene* (1609/10), which allegedly made an allusion to her (see *S. W.*, V. i. 18–19). According to a contemporary report, the performance was consequently suppressed (see *H. & S.*, V, 146).

Nor was the Master of the Revels the only official empowered to ban allegedly offensive performances. In a few cases, the Privy Council interfered to suppress performances though their stage-texts had been duly licensed by the Master of the Revels himself. Further, the Privy Council interrogated dramatists or actors over allegedly seditious performances.¹⁶ But though the Jacobean censor relatively succeeded in suppressing plays that commented unfavourably on foreign policy, dramatic texts which satirized contemporary personages or alluded to current issues of immediate concern to the citizens found their way to the public stage.

In order to circumvent the censor, dramatists had to play a game of caution and shrewdness. To deal with topical issues, yet avoid stirring the wrath of the authorities, playwrights had to present their dramatic material in circumspect and indirect terms. To criticize the vice and extravagance of the Jacobean court or to make comments on controversial government policies, English dramatists could either select stories from foreign settings and ancient history or present their material in dramatic allegories that would make recognizable analogies to current issues of interest. One of the central forms which political drama took in seventeenth-century England was classical history. Roman history, in particular, abounded in stories and episodes that were analogous to specific events and to general social and political conditions in contemporary England. Classical authors like Tacitus, Plutarch, Sallust and Suetonius, among others, had narrated significant events in ancient Rome relating to timeless issues like the hazards of absolute power and of social and political corruption. They had also provided their own assessment of the causes and effects of such events, drawing moral and practical lessons that could be useful to posterity. English dramatists of the seventeenth century thoroughly understood the dramatic potential of the historical material of ancient Rome and the value of the experiences of the past. The Roman plays of the Jacobean period, like those of the fifteen-nineties, are not therefore mere narratives of historical events but dramatic representations of various forms of political systems from which lessons about the perils of excessive power and the advantages of virtuous conduct in public life could be learned.

Classical erudition evidently formed an integral part of Jonson's predilections as a man of letters. To him, historical accuracy was conspicuously a major merit of his tragedies and he was proud to authenticate his dramatic material with actual events and information culled from documented history. *Sejanus* is closely based on classical material drawn chiefly from Tacitus's *Annals*, Dio Cassius's *Roman History*, Suetonius's "Life of Tiberius", in addition to numerous minor sources. *Catiline* is also constructed out of historical material borrowed

primarily from Sallust's *Bellum Catilinae*, Cicero's *In Catilinum*, and *Catiline Orations*, Dio Cassius's *Roman History* and Plutarch's *Life of Cicero*. Jonson's close adherence to a wide variety of classical authorities served, in his opinion, to convince the reader or the spectator of the plays' "truth of Argument" (*Sej.*, To the Readers, ll. 18-19). But Jonson believed, nevertheless, that classical authors should not be imitated slavishly but should be followed "as guides, not commanders." He, therefore, compresses and rearranges the sequence of his source material when such measures serve a dramatic purpose. He also departs from historical details in his sources when such departures suit his dramatic purposes. Further, he gives himself some degree of freedom in interpreting thematic points which are not clearly defined in his sources. A major example of this practice is his indictment of Julius Caesar for complicity in Catiline's conspiracy; this was a deliberate move to heighten the dramatic effect of his second surviving tragedy and to warn against the danger of potential conspirators.

So, in writing his two Roman tragedies Jonson was not interested in reconstructing the past for its own sake or merely to boast his classical erudition. Ultimately, Jonson was fascinated with the past for the lessons and practical experiences that could be gleaned from it and be useful to the present and the future. Seen in this light, Jonson's extensive marginal notes to the Quarto edition of *Sejanus*, one may infer, served not only to show his "integrity in the story" (*Sej.*, "To the Readers") but also to defend himself against the Jacobean authorities who insisted upon reading "oblique" parallels to current affairs into the play.

Classical education not only distinguished Jonson as one of the most learned of Elizabethan and Jacobean dramatists; it also provided him with the credentials that would make him a prospective aide to the monarch and his élite advisers. Knowledge in ancient literature, as the mature Jonson later maintained, was crucial to the ruler as it contained valuable experiences of the past and could offer the monarch crucial instructions in the arts of government: "Learning needs rest: Sovereignty gives it, Sovereignty needs counsell: Learning affords it" (*Discoveries*,

65-66; H. & S., VIII, 565).¹⁷ In the two Roman tragedies, Jonson was to put his classical learning to best effect. He would offer the ruling élite of Jacobean England reflections on political realities in ancient Rome, warning against corruption at court and against social decadence.

Jonson must have ruminated over writing *Sejanus* for almost two years before it had its initial performance. In the "Apologeticall Dialogue" appended to *Poetaster* (per. 1601; pub. 1602), Jonson had announced his intention to "trie /If tragoedie haue a more kind aspect" to him than his earlier satirical comedies (ll. 223-24). The title page of the 1616 Folio edition of *Sejanus* states that the play was "acted, in the yeere 1603. By the K. Servants" - the newly named King's Men. According to Old Style Dating, this means that the performance must have taken place some time between 25 March 1603 and 24 March 1604. As E. K. Chambers pointed out, there were no public performances after 24 March 1603, on account of Elizabeth's death, and almost certainly until 9 April 1604, because of the plague. Accordingly, the "1603" production is most likely to have taken place at court.¹⁸ The King's Men, according to Chambers, gave their first public performance in April 1604 (*The Elizabethan Stage*, IV, p. 350), but they performed at court between 26 and 30 December 1603 (*Ibid.*, IV, p. 168). It is, therefore, possible that the initial performance of *Sejanus* in 1603 took place at court at about the end of December. The first public performance of *Sejanus*, which, according to some of the contemporary verses to the 1605 quarto edition (H. & S., IX, 190), took place at the Globe, may have occurred after 9 April 1604.

The Globe audience of *Sejanus* was dissatisfied with the initial public performance and hissed it off the stage. In the 1605 quarto, dedicated to Lord D'Aubigny, Jonson lamented that the play had "suffered no less violence than the subject of it did from the people of Rome" ("Deidacation," ll. 9-10). The reasons for the unsuccessful performance of the play at the Globe can only be surmised. Jacobean playgoers could not perhaps tolerate Jonson's over-pessimistic view of the political world of ancient Rome as portrayed in the play, and they possibly failed to

appreciate the political purport as conveyed in the action. Jonson had selected a gloomy epoch in Roman history, and his play portrays a reign of unmitigated fear and terror. The court of Tiberius teems with spies and informers who, driven by greed and self-interest, ruthlessly track down political dissidents on orders from the Emperor's influential favourite, Sejanus. Good men, who both open and close the play, are subdued into silence and inaction; they live in a fearful society where their every movement, their meetings and even their looks are closely observed. The only means of communication among these men is whispering, though some are even afraid of dreaming or speaking in their sleep (IV, 305-306), for under this reign of fear and terror unexpressed thoughts are as incriminating as hostile deeds. Those who dare to give vent to their opposition to the repressive regime are singled out and executed. Even a historian like Cordus has his annals burned and is himself made guilty of high treason for having praised the good past. In charge of government in this police state is a tyrant and his unscrupulous favourite, the latter of whom exaggerates the former's fears of alleged political enemies and receives the Emperor's approval to eradicate whoever is suspected of opposing the regime.

The play is equally critical of the good characters. The people's elected representatives, the consuls, are portrayed as servile, sycophantic and cowardly. They are represented to best effect in Act Five when the Senate convenes to listen to Tiberius's letters from Capreae. They sit close to Sejanus when they believe that he is still the Emperor's favourite, but their allegiance instantly shifts as they realise that he no longer wields his former power and prestige. The commoners in this play are also portrayed in censorious terms as a "rude multitude"; they lack both reason and vision, as they tear the body of the fallen Sejanus to pieces, while the Senators hail the new favourite Macro as saviour of Rome (V. 757).

The favourite's bid for the imperial throne, though it fails, shows the extent of ruthlessness in the struggle for political power. Sejanus's downfall, though a condign punishment for his crimes, does not in the end produce any genuine optimism about the restitution of political stability. The survival of Tiberius and the

emergence of Macro, no less vicious a favourite than his predecessor, give the play its pervasive pessimistic nature.

It is hardly surprising that *Sejanus* had a bad reception by its first audience. Such a thoroughly bleak play, staged at the outset of a new monarchic era after a period of political uncertainty and presenting at its centre a totalitarian ruler, must have dismayed the spectators at the Globe. Almost certainly it angered the Jacobean authorities. According to a slightly vague statement by William Drummond, Northampton was Jonson's "mortallemie for brauling on St. Georges day one of his attenders"; Drummond adds that Jonson "was called before ye Councell for his *Sejanus* & accused both of popperie and treason" (*Conversations*, in H. & S., I, 141).

Whether Jonson's summons before the Privy Council was a direct result of alleged analogies in *Sejanus* to contemporary politics or influential figures or simply a matter of personal differences with Northampton is unclear. Further, whether the charges of "popperie and treason" were related to the stage version in 1603/4 or to the text prepared for publication in 1605 is equally uncertain. In his address "To the Readers", prefixed to the 1605 quarto, Jonson informs his reading audience that the printed text "is not the same with that which was acted on the public stage, wherein a second pen had good share" (ll. 39-40). The identity of Jonson's co-author in the acting version of the play is an issue for debate, though George Chapman, who shared some of Jonson's political and literary attitudes, is the most likely collaborator. Jonson reveals that he had substituted the passages provided by the "second pen" with material of his own when he published the text in 1605. That Jonson was driven to this measure as a result of censorship of the play is almost certain. But was the text further censored shortly before its publication in 1605? Further problems are raised by the opening lines of Jonson's dedication of the quarto to Lord D'Aubigny: "If euer any *ruin* were so great *as to survive*, I think this be one I send you" (ll. 1-2; emphasis added).

Jonson's involvement with the Jacobean authorities over *Sejanus* has attracted extensive scholarly discussions, in an attempt to explain what in the play may have caused offence to Northampton. The task is made particularly difficult because of the lack of evidence about the original version of the play. A number of critics have argued for a possible parallel between the fate of Sejanus and that of the Earl of Essex in 1601.¹⁹ This suggestion has some notable areas of weakness. Whereas Essex was valiant and commanded some popularity (though it came to nothing when he tried to draw London into rebellion), Jonson's Sejanus, in contrast, is a cowardly soldier (see I, 565ff.), a dissimulator who adopts Machiavellian methods to hide his intentions and to achieve his motives. By the same token, an analogy between Tiberius and Queen Elizabeth is equally ill-suited. Queen Elizabeth was a highly respected monarch, much endeared to her subjects by virtue of her own personality and style of government. In sharp contrast to her is Jonson's Tiberius, a crafty and manipulative politician who is always afraid and suspicious of his own people. Although Elizabeth's policy of playing off her royal favourites against each other to weaken them may find a parallel in Tiberius's employment of Macro against Sejanus, it is unlikely that the Jacobean audience discerned or accepted such an analogy.

A more plausible analogy between the play and a specific contemporary political event has been recently suggested by Philip Ayres. Bearing in mind that Jonson's accuser was Northampton, it is possible that offensive "application" was drawn between the trial of Silius in Act Three and the trial in 1603 of Sir Walter Raleigh for whose downfall and false conviction in the so-called Main Plot Northampton was directly responsible. The authenticity of this suggestion, however, depends on the actual date of the play's first performance. In other words, the Raleigh/Silius analogy can be convincing only if we know that *Sejanus* was first staged after Elizabeth's death. Opinions as to the tentative date of the first performance are anything but unanimous. Philip Edwards, adopting an opposing view to that of Chambers (quoted above), believes that the initial performance of

Sejanus "must have been before Elizabeth's death on 24 March because the theatres were then closed for a whole year."²⁰ If Edwards is right *Sejanus* could not have alluded to Raleigh's trial, which occurred in the early months of James's reign. According to this speculation, moreover, Northampton's displeasure with Jonson's play becomes even more incomprehensible. But Richard Dutton has recently suggested that the theatres were perhaps "briefly re-opened during the period [i.e. 24 March 1603 to 9 April 1604], and that *Sejanus* was staged then or that the actors gave an unlicensed performance ... or that the first performance was an unrecorded one at court ..."²¹ All these opinions remain mere hypotheses in need of corroborative evidence.

In general terms, Jonson's portrayal of a court teeming with sycophantic courtiers, intriguing ruthlessly to attain political power and esteem, at a time when figures like Northampton and Cecil had plotted the downfall of Raleigh and Cobham in order to have a monopoly of the King's favours, could not have been condoned by the Jacobean authorities. Yet, Jonson seems to have found a way out of this predicament, as there is no indication that he suffered any serious punishment.

Though *Sejanus* was a theatrical failure on the contemporary stage, the experience was not in vain. The play marks a turning point in Jonson's career as a dramatist; it anticipates the composition of his later comic masterpieces, *Volpone* and *The Alchemist*.²² *Sejanus* also marks a shift in Jonson's approach to Jacobean politics: the poet, like Chapman's Bussy, turns his attention to the court and tries to stimulate political reforms at the centre of government.

Through the masques the maverick Jonson was to convey moral and political messages to royal and aristocratic audiences. His new attitude to Jacobean politics, as demonstrated in the court entertainments, is based on the principle of "teaching by praising". By creating ideal roles for King James and his chief courtiers, Jonson set the standard of government he wished the ruling élites to emulate. Writing court masques was a relatively lucrative departure for Jonson and gave him access to aristocratic patrons within the court. But Jonson was primarily attempting to

establish himself as the chief court poet by showing that his classical knowledge could be put to best effect by advising the monarch and his chief ministers in the art of government.

The masque was a genre that Jonson took seriously. This is apparent in the impressive erudition, both native and classical, associated with the extant masques. Such texts as *The Masque of Blackness*, *Hymenaei*, *The Masque of Queens*, and *Oberon*, soon endeared Jonson to the royal household and established him as a master in this field. Composed in response to a variety of royal occasions, such as birthdays, weddings, investitures or stately visits, Jonson's masques also emphasize the importance of peace and social harmony. They present King James at the centre of the action as the source of bounty, stability and political authority. Regardless of the occasion of a given masque, the central theme remains the glorification of the princely power and the wisdom of the monarch. James is often represented as the embodiment of the very symbolic events and the ideal principles of the masque. In this sense, the political dimension of the masque coexists with the subject of its immediate occasion.

In the last two decades or so, Jonson's masques have been the focus of intensive analytical attention by scholars such as D. J. Gordon, Stephen Orgel and Roy Strong as well as, more recently, D. Lindley and Jerzy Limon.²³ Thanks to such illuminating studies, Jonson's masques are now viewed within the perspective of contemporary politics: their coded language and ideal emblems are perceived as a major part of the overall image of Jacobean statecraft and iconography. Court masques and entertainments were initially discussed within the context of their immediate occasions and with little attention to the political eminence of the aristocratic patrons for whom they were directly composed. In recent studies, the King, whose physical presence was the focal point in a masque-in-performance, is seen as the chief force of the action. Even the stage arrangements of the masque, as Inigo Jones adopted them from the Roman theoretician, Vitruvius, via the Italian architect, Palladio, were intended to glorify the King and to emphasize his centrality

as the principal figure of reference in every performance: the central position of the royal dais, which was the best (and the only) seat that allowed a perfect view of the perspective scenery on the stage, also made the King the focus of the courtly audience.²⁴

Jonson's masques and entertainments did not have the desired moral and intellectual influence on the monarch and his court. Instead, the aristocratic audience used the masque as an occasion for revelry and lavish display of costumes. In James's court, the masque became a costly kind of entertainment: very substantial amounts of money were spent, bearing in mind that each masque was intended for a single performance. By the end of the first decade of James's reign Jonson had every reason to be disillusioned with Jacobean politics. The split between the tributes of idealism and goodness to James, on the one hand, and the rather embarrassing reality of the court, on the other, had widened considerably. The moral lessons embedded in the erudite texts of the masques all seemed to have fallen on deaf ears. Instead of emulating the wisdom and integrity of the classical and allegorical figures, the King and his courtiers were seen to be more interested in prodigal living and conspicuous consumption than in conducting state affairs in the proper manner.

Decline had affected the country and the city as well as the court. The gentry attempted to imitate the lavishness of the court in their own country seats, building massive estates - the 'prodigy houses' - and spending immoderately on frequent banquets and entertainments. The same symptoms of this social malaise were manifest in the capital. London was becoming the centre for new fashions as more classes of *nouveaux riches* and newly created knights and peers competed to match the vanity and extravagance of the court. To contemporary dramatists the decline in moral values within the City of London appeared alarming. In their "city" comedies, playwrights like Jonson, Marston and Dekker satirized the greed, idleness and financial opportunism that pervaded London in the first decade of James's reign. The city also tempted members of the gentry to leave their estates in

the country and to neglect their social responsibilities. Jonson was to address this problem in poems like "To Penshurst" and "To Sir Robert Wroth", in which he would emphasize the need of gentlemen to be at the centre of their communities, to maintain hospitality among the inhabitants of their counties and to strengthen the social links between the gentleman and his tenants. Jonson would argue that moderation and aloofness from the vice and corruption of the court were among the prime virtues of the true gentry at a time when riches, not morals, were the determining factors in the new distribution of political power.²⁵

But Jonson saw in prodigality and lavish expenditure among the aristocracy a potential danger with serious consequences. At a time of dire financial problems when the royal revenues dwindled considerably, bankrupt and unprincipled courtiers were driven by thwarted ambition to the extreme measure of plotting against the monarch in order to seize control of the throne and have unlimited access to the royal treasury. The Essex Rebellion a decade earlier by a group of discredited courtiers served as a reminder of such danger. To a classicist like Jonson a parallel to the social and political decadence in contemporary England was to be found again in ancient Rome. Catiline's conspiracy against Cicero and the Roman Senate in the first century B.C. represented a ruthless plot by reckless and impoverished patricians engendered by a degenerate society. Though the historical episode had apparent analogies to the Gunpowder Plot of 1605 it is unlikely that such analogies were Jonson's main reason to dramatize the story in his second Roman tragedy. More important to Jonson were perhaps the effects on society of moral decadence and political irresponsibility.

Catiline had its premiere at the Globe Theatre by the King's Men. The performance, which took place by the end of August 1611 (see H. & S., IX, 240), was badly received by its first audience, who, according to Jonson's prefatory address, liked the first two acts but did not tolerate Cicero's long-winded and didactic orations, which subsequently took the place of real dramatic action. However, Jonson was proud of his second tragedy and assigned it a place even

above his comic masterpieces. He characteristically attributed the theatrical failure of *Catiline* to the bad taste of the contemporary audience and to its obsession more with cheap stage-effects than with literary substance. No doubt encouraged by fellow intellectuals and dramatists who appreciated the genuine merits of the play, Jonson hastened to publish *Catiline* within the same year of its initial performance, hence anticipating the high esteem the play enjoyed in some subsequent periods.

The title page of the second quarto of *Catiline* in 1635 reveals that the play was then "acted by his Maiesties servants with great Applause." But it was in the Restoration era that Jonson's second Roman tragedy enjoyed a decided popularity. In his *Roscius Anglicanus* (1708), John Downes included it, together with *Sejanus*, in a list of old plays which were acted at the Theatre Royal "but now and then; yet being well Perform'd, were very Satisfactory to the Town". Downes's statement is the only surviving evidence that *Sejanus* was acted on the Restoration stage. Contemporary evidence, however, shows that *Catiline* was indeed revived after 1660. Pepys reported on 7 December 1667 that it was "likely to be soon acted" but it was postponed until a later date. The earliest recorded revival of *Catiline* after the re-opening of the theatres in 1660 is that in 1668 on two successive days, 18 and 19 December, when the King's Company performed the play at the Theatre Royal in Bridges Street. King Charles II attended the play on the first day while Pepys himself saw it on the second. *Catiline* was revived again on 2 and 13 January 1669 when the King saw it. The latter two performances involved a court scandal as the scene between Fulvia and Sempronia was used to reflect factional rivalries between influential women at court who were eager to take part in current political affairs - women like Lady Harvey, the Lord Chamberlain's kinswoman, and Lady Castlemaine, Charles's favourite mistress at the time.

Sejanus and *Catiline* also enjoyed a considerable degree of academic acclaim during this period and attracted intensive analytical attention from leading literary figures, including Dryden. Both plays were frequently cited and commented upon as they figured in a current literary debate over the relative merits of English and

European, mainly French, drama. The fact that this debate occurred after 1665 (as Dryden's *Essay of Dramatic Poesy* was written then but was published in 1668), may give force to the suggestion that *Sejanus* was perhaps revived soon after the revival of *Catiline* in 1668/9.

At a time when the reign of Charles II was showing early signs of licence and corruption *Sejanus*, I shall argue, would have proved relevant to the major issues of the day. Further, I shall attempt to demonstrate that the trial of Silius in Act Three had significant parallels with the trial of Sir Henry Vane in 1662/3, a major political event, which may have added to the special interest in the play. Moreover, the topicality of both plays during the early years of the Restoration may have contributed to the revival of their esteem during this period. Both plays tell the story of a major conspiracy against a constitutional sovereign or ruling representative - a theme of great topicality in the opening years of the Restoration after the traumatic and controversial execution of Charles I. Both tragedies also warn against the perils of civil wars and rebellions against the rightful head of state and emphasize the need for a just and efficient ruler. Both plays also criticize the vanity of women and ridicule their involvement in political affairs - themes which were topical in an age renowned for the revolutionary change in women's social status and sexual attitudes.

The following chapters will thus seek to explore the interrelation between Jonson's two Roman tragedies and social and political conditions in early Jacobean and Restoration England.

NOTES

1. Christopher Hill, "The Pre-Revolution Decades", in *Collected Essays*, 3 vols (Brighton, 1985-1987), I, p. 3.
2. Examples of such historians include G. V. P. Akrigg, *Jacobean Pageant, or The Court of King James I* (London, 1962); Lawrence Stone, *The Crisis of the Aristocracy 1558-1641* (Oxford, 1965); Derek Hirst, *Authority and Conflict 1603-1658* (London, 1986); and Kevin Sharpe, *Sir Robert Cotton 1586-1631: History and Politics in Early Modern England* (Oxford, 1979).
3. Martin Butler, *Theatre and Crisis 1632-1642* (Cambridge, 1984); Jonathan Dollimore, *Radical Tragedy: Religion, Ideology, and Power in the Drama of Shakespeare and his Contemporaries*, rev. edn. (Brighton, 1989); Jonathan Goldberg, *James I and the Politics of Literature: Jonson, Shakespeare, Donne and their Contemporaries* (London and New Haven, 1983); Margot Heinemann, *Puritanism and Theatre: Thomas Middleton and Opposition Drama under the Early Stuarts* (Cambridge, 1980), and her informative essay, "Political drama", in *The Cambridge Companion to English Renaissance Drama*, ed. A. R. Braunmuller and Michael Hattaway (Cambridge and New York, 1990), pp. 161-205; Jerzy Limon, *Dangerous Matter: English Drama and Politics 1623/24* (Cambridge, 1986); John Loftis, *Renaissance Drama in England and Spain: Topical Allusions and History Plays* (Princeton, 1987); Nancy K. Maguire (ed.), *Renaissance Tragicomedy in Genre and Politics* (New York, 1987); Albert H. Tricomi, *Anticourt Drama in England 1603-1642* (Charlottesville, Virginia, 1989); and Graham Parry, *The Seventeenth Century: The Intellectual and Cultural Context of English Literature 1603-1700* (London and New York, 1989).
4. J. W. Lever, *The Tragedy of State: A Study of Jacobean Drama*, revised edition (London and New York, 1987), p. 5.
5. Margot Heinemann, "Political drama", in *The Cambridge Companion to English Renaissance Drama*, pp. 164ff.
6. Josephine Waters Bennett, "Oxford and *Endimion*," *Publications of the Modern Language Association of America*, 57 (1942), 359.
7. Induction to *Bartholomew Fair*, ll. 157--163; in *The Selected Plays of Ben Jonson*, two volumes, vol. 2, ed. Martin Butler (Cambridge, 1989).
8. On James's political writings, see Antonia Fraser, *King James VI of Scotland, I of England*, (London, 1974; rept. 1986), pp. 67-69, and Graham Parry, *The Seventeenth Century*, esp. pp. 14-16, and 212-215; the quotations from the Bible are quoted in G. Parry, *op. cit.*, p. 212.
9. *The Political Works of James I*, ed. Charles H. McIlwain (Cambridge, Mass., 1918), p. 43; cited by Jonathan Goldberg, 'James I and the Theatre of Conscience', *ELH*, 46 (1979), 739.
10. *The Political Works of James I*, p. 30.
11. For the two quotations, see Jonathan Goldberg, *James I and the Politics of Literature*, p. 68.
12. See, for example, Derek Hirst, 'The Body Politic', in *Authority and Conflict*.
13. Quoted in Asa Briggs, *A Social History of England* (London, 1983), p. 138.
14. See J. P. Kenyon, *Stuart England* (Harmondsworth, 1978), Chapter 2 and pp. 80-81; and J. W. Lever, *The Tragedy of State* (London, 1971; rev. edn., 1987), p. 4.
15. For a detailed study of the censorship of Chapman's *The Conspiracy and Tragedy of Charles Duke of Byron*, see "Introduction" to the play's edition by John Margeson, *The Revels Plays* (Manchester and New York, 1988), pp. 9-13.
16. Examples during this period include the questioning by the Privy Council in 1601 of Shakespeare's company over the performance of *Richard II* on the eve of the Essex Rebellion; the summons before the Privy Council of Jonson concerning *Sejanus* (1603) and two years later over his contribution to *Eastward Ho!*; the interrogation of Daniel over *Philotas* (1604); and of Day over *The Isle of Gulls* (1606).
17. On the relevance of classical learning to the arts of government in seventeenth-century England, see J. H. Hexter, 'The Education of the Aristocracy in the Renaissance', in *Reappraisals in History*, second edition (Chicago, 1979), pp. 45-70.
18. E. K. Chambers, *The Elizabethan Stage*, 4 vols. (Oxford, 1923), III, p. 367.
19. See, for example, Jonas A. Barish (ed.), *Sejanus His Fall*, The Yale Ben Jonson (New Haven, 1965), p. 16; and Richard Dutton, 'The Sources, Text, and Readers of *Sejanus*', *Studies in Philology*, 75 (1987), 195; Barbara N. De Luna, *Jonson's Romish Plot: A Study of 'Catiline' and its Historical*

- Context* (Oxford, 1962), p. 8. De Luna suggests that Jonson might have intended "to shadow forth Essex in the much-abused and heroic Silius, or the bloody and hypocritical Sejanus himself."
20. Philip Edwards, *Threshold of a Nation: A study in English and Irish drama* (Cambridge, London and New York, 1979), p. 149.
21. Richard Dutton, *Mastering the Revels: The Regulation and Censorship of English Renaissance Drama* (London, 1991), pp. 11-12.
22. Among the critics who discuss the relation of *Sejanus* to *Volpone* and *The Alchemist* are Russ McDonald, 'Jonsonian Comedy and the Value of *Sejanus*' , *SEL*, 21 (1981), 287-305; and John G. Sweeney III, 'Sejanus and the People's Beastly Rage', *ELH*, 48 (1981), 61-82.
23. D. J. Gordon, *The Renaissance Imagination*, ed. S. Orgel (Berkeley and London, 1975); Stephen Orgel, *The Illusion of Power: Political Theatre in the English Renaissance* (Berkeley, Calif., 1975); R. Strong, *Inigo Jones: The Theatre of the Stuart Court*, 2 vols (London and Berkeley, 1973); R. Strong, *Splendour at Court: Renaissance Spectacle and the Theater of Power* (Boston, Mass., 1977); D. Lindley (ed.), *The Court Masque* (Manchester, 1984); Graham Parry, *The Golden Age Restor'd: The Culture of the Stuart Court 1603-42* (Manchester, 1981); and Jerzy Limon, *The Masque of Stuart Culture* (London and Toronto, 1991).
24. See Stephen Orgel, *The Illusion of Power: Political Theatre in the English Renaissance* (Berkeley, Calif., 1975).
25. For interesting studies of Jonson's "country-house" poems, see Don C. Wayne, *Penshurst: The Semiotics of Place and the Poetics of History* (London, 1984); and Alastair Fowler, 'The "Better Marks" of Jonson's *To Penshurst*', *Review of English Studies*, 24 (1973), 266-282.

PART ONE

**HISTORY IN THE CRUCIBLE OF DRAMA: THE CLASSICAL
SOURCES OF JONSON'S TWO ROMAN TRAGEDIES**

CHAPTER ONE

Classical Eclecticism and Dramatic Ingenuity in Jonson's *Sejanus*

Despite the considerable critical attention it has recently drawn, Jonson's *Sejanus* has hardly received the literary esteem it merits. Since its initial failure on the Globe theatre in early 1603/4 and the "violence" it was met with from its audience, this play has obtained only scant praise for its dramatic qualities and the level of its erudition.¹ For most critics of the play have contented themselves with examining the nature of Jonson's use of the classical sources, and thus overlooked the dramatic achievement in this Roman tragedy. Such emphasis on the classical sources has in fact resulted from the play's impressive reliance on ancient authorities.

A wide array of classical sources on the topic of *Sejanus* lay available to Jonson. His primary source was Tacitus's *Annals*. The fourth book, in particular, provided him with material for the first three acts of the play. For the final three years of Sejanus's life, originally in the non-extant part of the fifth book of the *Annals*, Jonson turned to two other major sources, Dio Cassius's *Roman History*, particularly books LVII-LVIII, and Suetonius's account of the "Life of Tiberius" in his "Lives of the Twelve Caesars". The Tenth Satire in Juvenal's *Satires*, provided Jonson with details about Sejanus's death. He also benefited considerably by other sources such as Lucan's *Pharsalia*, Martial's *Epigrams*, Seneca's plays and other works such as *To Marcia on Consolation* and *On Benefits*. He also consulted Pliny's *Natural History*, Claudian's *Against Rufinus*, and a variety of other minor sources including contemporary classical scholars.²

Jonson was neither abashed nor secretive about his close adherence to the classical authorities in writing *Sejanus*. His first quarto edition of the play, printed in 1605, is extensively annotated with marginal notes referring the reader (or probably his prospective critics) to a variety of classical authors and, in a few cases, to the editions he had used. In his address "To the Readers", prefixed to the quarto, he provided a note of self-defence justifying the presence of his heavy references to classical scholarship:

... lest in some nice nostril the quotations might savour affected, I do let you know that I abhor nothing more; and have only done it to show my integrity in the story, and save myself in those common torturers that bring all wit to the rack; whose noses are like swine spoiling and rooting up the Muses' gardens, and their whole bodies, like moles, as blindly working under earth to cast any -the least- hills upon virtue. ("To the Readers", lines 23-29)

This necessary note, then, serves a twofold purpose: first, it provides a defense against censorship (Jonson was questioned by the Privy Council in 1603 in connexion with *Sejanus*), and, secondly, it emphasizes the Renaissance attitude to history as the proper basis for tragedy.

Intrigued by Jonson's laborious research in the classics for composing *Sejanus*, most critics of the play have dredged to identify it with the classical sources it drew upon, most of which were referred to by Jonson himself. The result has been an abundance of studies on Jonson's classical scholarship in *Sejanus* and *Catiline*, most of which accuse Jonson of closely translating passages from the classics, and under-rate the plays as tragedies. Consequently, there has been a number of unsound, hence unfair, conclusions concerning Jonson's treatment of his source material in both extant tragedies.³ Palmer, for instance, considers *Sejanus* merely "a transcript from Tacitus and Suetonius", and Hazlitt's well-meant, much-quoted compliment of the two Roman tragedies as "admirable pieces of ancient mosaic"⁴ surely does them both an injustice. At best, Jonson, having written *Sejanus* and *Catiline*, has been praised for "fulfilling simultaneously the offices of historian and poet,"⁵ but has been praised more often as an historian than as a poet. Moreover, emphasis on the historical accuracy of the play and Jonson's talent as an

historian has in a few critical studies considerably obscured the dramatist's achievement in *Sejanus*.

Jonas Barish has classified *Sejanus* as a "closet" drama and commented that it "offers something like an archaeological reconstruction of the epoch it deals with, and a fully worked out interpretation of its subject, arrived at through a consideration of all relevant evidence."⁶ Although at first glance Barish's statement may look attractively true, a close study of Jonson's overall treatment of Roman history proves that *Sejanus* is *more* than "an archaeological reconstruction" of a Roman segment of history on the one hand, and its conclusion reflects *less* than a "consideration of all relevant evidence", on the other. Barish's claim that *Sejanus* "follows *all* its sources"⁷ is not verified since Jonson made slight but notable departures from the sources. In fact, *Sejanus* consults all its sources but does not necessarily stick to *all* historical particulars. For Jonson, as Philip J. Ayres has argued, "displays very little interest in or concern for the larger processes of Roman history in the periods his Roman plays animate."⁸ Ayres offers a few valid questions about Jonson's unclear 'position' regarding the respective claims of the oligarchy and the *populares*, his praise of Brutus for killing Caesar but his refusal to endorse such an act in *Sejanus*.⁹ Ayres also raises a question over Jonson's apparent sympathy with Pompeian views while in *Catiline* he draws Sulla in lurid colours.¹⁰

The scrupulous adherence to historical details which Jonson displays in both Roman tragedies has therefore led some critics, like Coleridge, to favour the plays more as histories than tragedies.¹¹ On the two plays Swinburne commented: "There is fine occasional writing in each, but it is not dramatic: and there is good dramatic work in each but it is not tragic."¹² Other critics have gone even further to argue that a real understanding of Jonson's two tragedies requires a thorough knowledge of the classical sources. Joseph Bryant, Jr., for instance, awkwardly argues that *Sejanus* and *Catiline* require a "historical context", and adds:

The reader cannot begin to understand either *Catiline* or *Sejanus* unless he is willing to bring a knowledge of history with him to the play and look before and after what he finds there. ... If the reader brings less than [a knowledge of the primary sources] to Jonson's tragedies he risks his chances of understanding what they are about.¹³

Angela G. Dorenkamp, in her essay on *Catiline*, argues for Bryant's view on the historical quality of the play and adds that "the historical element seems necessarily to undermine the tragic."¹⁴ Such views represent an extreme approach to Jonson's sources. While a knowledge of Jonson's classical authorities may add another dimension to the understanding of Jonson's treatment of his authorities, *Sejanus* and *Catiline* can no doubt be fully appreciated without the help of the sources. There is probably more reason in Richard Dutton's suggestion that "Jonson's insistence upon the historicity of the material is an attempt to wash his hands of the responsibility: the matter, he implies, is not of his making."¹⁵

Sejanus followed the apex of Jonson's fame as writer of comedy. It is evident, moreover, that the dramatist had high hopes of his first extant tragedy. The performance by the leading company of the day, the newly renamed King's Men, with famous players like Shakespeare, Burbage, Hemminges and Condell in the cast,¹⁶ was, nevertheless, ill-received. The spectators who had relished Jonson's witty treatment of the tricksters and the foibles of their dupes in the "Humour" plays apparently had similarly high expectations from Jonson's first extant tragedy. It can be surmised, therefore, that the first audience of the play were not entertained by the rigidity of its characters, whereas they had appreciated a few years earlier the versatility and introspection of Shakespeare's tragic heroes in *Julius Caesar*, a major theatrical success of the time. No less disturbing to the spectators of the play was perhaps its pervasive pessimism and gloomy ending. If this was the case, the spectators then may have failed to appreciate Jonson's dramatic views on a society in which the optimism of the early Elizabethan era had waned and in its place an era of less prosperity was taking shape.

I

The initial theatrical failure of *Sejanus*, though not completely surprising, is depressing, taking into account the extensive and painstaking research Jonson had prepared for it. The historical subject was perhaps not potentially theatrical. In the *Annals*, Jonson's main source for the play, Tacitus anticipated that his account of Tiberius and Sejanus "may seem unimportant and trivial." He admitted the unattractiveness of his narrative with comparison to the works of other historians. "Their subjects," he wrote, "were great wars, cities stormed, kings routed and captured.... Mine, on the other hand, is a circumscribed, inglorious field. Peace was scarcely broken -if, at all. Rome was plunged in gloom, the ruler uninterested in expanding the empire."¹⁷ Tacitus went on to write:

What interests and stimulates readers is a geographical description, the changing fortune of a battle, the glorious death of a commander. My themes on the other hand concern cruel orders, unremitting accusations, treacherous friendships, innocent men ruined -- a conspicuously monotonous glut of downfalls and their monotonous causes.¹⁸

If the author of the *Annals* thought that his subject matter was not appealing to readers, one needs to ask why Jonson decided to dramatise Tacitus's apparently "inglorious" narrative. To Anne Barton, "[Jonson] chose ... to write about this depressing and un-heroic Rome because, like Tacitus himself, he was fascinated by it. It appealed, for one thing, to his taste for the grotesque."¹⁹ Other possibilities, however, may be speculated with some degree of plausibility. In addition to the popularity of the classics and of Tacitus in particular during the Renaissance,²⁰ Jonson may have found in the Roman chronicles a safe haven against Jacobean censorship and the authorities' harassment.²¹ Jonson's note of self-defense in his address "To the Readers" may thus be taken as directed as well to the censor and the authorities who, nevertheless, insisted on reading in the play intended parallels to current political events. Other reasons are equally plausible. Jonson probably wished by writing *Sejanus* to set a paragon of dramatic and historical virtue to follow, especially in the wake of Shakespeare's *Julius Caesar* in which disregard for

historical accuracy is obvious and may have annoyed the classically-minded Jonson. Jonson, as he makes clear in *Discoveries*, 661-8 (H. & S., *Ben Jonson*, VIII, p. 584), was familiar with Shakespeare's *Julius Caesar* and thought that it was "rediculous" in at least one instance.

There is also the possibility that Jonson may have wished to impress and win the favour of the new successor to the English throne, King James VI of Scotland, I of England, who himself was an admirer of the classics.²² One may also surmise that Jonson wished *Sejanus* to be a political sermon to the new monarch who had only a few years earlier written the *Trew Law of Free Monarchies*, first published anonymously in 1598. In this work, King James, then VI of Scotland, had stressed the hereditary nature of his rights. The fact of the matter is that James's claims to the English throne, prior to the death of Elizabeth in 1603, were after all hereditary and not legal. James had also stressed the divine rights of kings and argued that even a bad king had his own rights over his people on the grounds that such a king would have been sent by God to punish the people. This argument fits well, it seems, in parallel to certain Jonsonian details in *Sejanus*. In this play Jonson seems to endorse, or even advocate, the legitimacy of the hereditary rights of monarchs, as explicitly referred to a few years earlier by King James. The following dialogue between Arruntius and Silius, who often speak for Jonson in this play, make the point:

Arruntius. The name Tiberius,
I hope, will keepe; how ere he hath fore-gone
The dignitie, and power.

Silius. Sure, while he liues.

Arruntius. And dead, it comes to Drusus. Should he fayle,
To the braue issue of Germanicus.

(I. 244-8)

In addition, Jonson also seems to make the point that although there should be no objections to the concept of the divine rights of monarchs, the monarchs themselves should be reasonable with their subjects. In other words, although an absolute monarchy is acceptable, there are serious reservations about tyrannous rule. The Jacobean (recently Elizabethan), Jonson seems to argue, have a similar case to

that of the Germanicans. The latter, albeit their sympathy lies with the Republic, realise that the "old liberty" is irrecoverable. They are then left with one choice, namely, to accept the new 'system' rather than to rebel against the established order. However, Jonson seems to add that both subjects and their monarch have mutual duties: the subjects must be loyal to the monarch, and the monarch must be compassionate towards his people. Sabinus's lines seem to ring as true to Jacobeans as to Romans:

A good man should and must,
Sit rather downe with losse, then rise vniust.
Though, when the *Romans* first did yeeld themselues
To one mans power, they did not meane their liues,
Their fortunes, and their liberties, should be
His absolute spoile, as purchas'd by the sword.
(IV. 165-70)

If after all the atrocities and repression endorsed by Tiberius, it is still more lawful to "Sit rather down with loss, than to rise unjust," one needs to ask what justifies such an extreme stoical philosophy. The answer to that question must be that Jonson derives his argument more from the Elizabethan concept of monarchies than from his classical sources.²³ Jonson, a few years later, was to repeat his political sermons to the monarchs in the form of court masques, setting James an example of what the subjects expect their king to be. The following lines from *Oberon, the Fairy Prince* (1611), may show the moral and didactic purposes underneath Jonson's obvious sycophancy to the King:

He is a god o'er kings, yet stoops he then
Nearest a man when he doth govern men,
To teach them by the sweetness of his sway,
And not by force. He's such a king as they,
Who're tyrants' subjects, or ne'er tasted peace,
Would in their wishes form for release.²⁴

Jonson's argument that the subject should not rise against the monarch is in fact derived from the Elizabethan theory of the duty of subjects towards their monarchs. *An Homilie agaynst disobedience and wylful rebellion*, published in 1572, stated that "Kynges and princes, as well as the evyl as the good, do reigne by Gods ordinance, and that subiects are bounden to obey them" (A ii^V). The homily went

on to preach subjects not to rise even against "evyll gouernors: God forbyd", for "a rebell is worse then the worst prince, and rebellion worse than the worst of government of the worst prince" (B i^v). Subjects, the sermon exhorted, must "patiently suffer and obey suche as we deserve" (B iii^v), for "God (say the holye scriptures) maketh a wicked man to raigne for the sinnes of people" (B ii). And it then makes this plea: "let us turne from our sinnes vnto the Lorde with all our heartes, & he wyll turne the heart of the prince vnto our quiet & wealth" (B ii^v-iii).²⁵ It may be argued then that Jonson used the Roman history in *Sejanus* partly as a smokescreen in order to disguise his criticism on contemporary issues, and thus circumvent the political censorship of the day.

II

Sejanus is built with severe conformity to its classical sources (H. & S., I, 116), but it surpasses them all, thanks to Jonson's sifting, compression, and rearrangement of his source material. The following pages will, therefore, be concerned with examining the significance of the individual classical sources for Jonson's *Sejanus* and their influence on the play. The dramatist's sedulous treatment of his ancient authorities and his achievement in reshaping his material through art will also be given special attention.

The first six books of Tacitus's *Annals* were first published in 1515,²⁶ but Jonson, as he mentions in the marginal notes to the first quarto of the play, consulted the edition by the Belgian Justus Lipsius, published in Antwerp in 1600. This sixteenth-century authoritative text was, to Jonson's great benefit, heavily annotated with relevant references to classical authors. Some of these references have found their way into Jonson's own marginal notes, some times without the dramatist's acknowledgment to Lipsius. It was to the Belgian humanist that Tacitus owed his fame in Jonson's day. Admiration for Tacitus was for his talents as a stylist, a prominent historian, a moralist, and a master of politics. Jonson, according to Drummond, listed him with Petronius and Pliny the Younger as the

best writers in Latin. In 1601, the year in which Jonson probably started gathering material for *Sejanus*, Sir William Cornwallis remarked that "from Tacitus' concise style there are many jewels to be gotten."²⁷

Tacitus's fame in the sixteenth and seventeenth centuries did not arise only from the content but also from the form of his writings. In the *Annals* Tacitus displays both a keen interest in causes and motives and a penetrating analysis of them. His grim comments on the corruption of the age he tackles were available to Jonson, who skilfully transformed them into maxims and critical statements spoken by the commentators of the play on the degenerate court. Arruntius and his like-minded companions thus voice their indignation at the terror and intimidation from Sejanus and his spies against the Romans. By dint of his attractive style in the *Annals* Tacitus provided a narrative of a society the like of which was to exist in consequent ages. The quality of the narrative, and the moral and political lessons inherent in it seem to have renewed interest in this classical historian. Lipsius described Tacitus as "an useful and a great writer, and who ought to be in their hands, who have the steering of the Commonwealth and Government." Lipsius continued with valid advice to his compatriots:

Let every one in him consider the Courts of Princes, their Private Lives, Counsels, Commands, Actions, and from the apparent Similitude that is betwixt those times and ours, let them expect the like Events; yet [sic] shall find under Tyranny, Flatterers and Informers, Evils too well known in our times, nothing simple and sincere, and no true Fidelity even amongst friends; frequent Accusations of Treason, the only fault of those who had no fault; the Destruction of Great Men in heaps, and a Peace more cruel than any War. I confess the greatest part of his History is full of unpleasant and sorrowful Accidents, but then let us suppose what was spoken by the dying *Thraseda*, spoken to every one of us; "*Young Man, consider well, and though I implore the Gods to avert the Omen, yet you are born in those times that require the well fixing your mind by examples of Constancy*".²⁸

This is an account of by and large the themes which Jonson selected from the *Annals* for dramatization in the play. It is also likely that Jonson believed in, and was influenced by, Lipsius's advice, as he may have almost certainly seen "the apparent Similitude" between the Roman society as portrayed in the *Annals* and that of his own day.

An English translation of the *Annals*, inferior to Lipsius's Latin edition, was published in London in 1598 by Richard Grenway and was dedicated to the Earl of Essex. It is commonly believed that this version was among the sources which Jonson consulted. For the dramatist revealed that his classical sources for *Sejanus* were "all in the learned tongues, save one, with whose English side I have had little to do."²⁹ This source is commonly believed to be Grenway's translation of the *Annals*. It was Sir Israel Gollancz who first suggested Jonson's debt to Grenway.³⁰ Recently, Philip Ayres, having compared Gollancz's examples of Grenway's influence on Jonson's play, has commented that "Jonson had Grenway's translation beside him in writing *Sejanus*."³¹ Ayers produces three examples of Grenway's "errors" which had been unwittingly introduced by Jonson into the play.³²

Jonson's respect for a historian and moralist like Tacitus can be traced in the poet's commendatory lines to Sir Henry Savile, for his work, *The End of Nero and Beginning of Galba*, which bridged the chronological gap between the events of Tacitus's *Annals* and those of the *Histories*, the four books of which were translated by Savile in 1591. To Jonson, Savile was a potential English Tacitus; the poet urged him to apply the Tacitean criteria to English history:

We need a man, can speake of the intents,
The councells, actions, orders, and events
Of state, and censure them: we need his pen
Can write the things, the causes, and the men.³³

Jonson's decision to dramatise material from the *Annals* can thus be said to reflect the poet's views on the functions of history and the qualifications of the ideal historian. As he considered Grenway's translation of *The Annales of Corn. Tacitus* to have been "ignorantly done", Jonson probably aspired to provide, in his Roman tragedy, a faithful translation of this work.³⁴ By consulting a variety of sources and writing on the rise and fall of Sejanus, Jonson is credited with filling in the hiatus left in Tacitus's manuscript regarding the final phase of the favourite's career. The poet's consultation of other historians in order to gather material about

this phase is itself a reminiscent of Savile's achievement in bridging What Jonson termed a "breach ... in the historie" of the *Annals*.³⁵

The *Annals*, Tacitus's last work, deals with a period of fifty-four years, from shortly before A.D. 14 (the death of Augustus) until the death of Nero in A.D. 68. Its major concern is the reigns of Tiberius, Gaius (Caligula), Claudius, and Nero. Tacitus's chronicle displays a blend of traditional features of historical writings: psychology, rhetoric and vivid description of events, in addition to emotional effects which arouse pity and fear. These combinations together render Tacitus's work potentially dramatic, although the historian himself thought otherwise. Also emphasized in Tacitus's work is the moral purpose. Decline and degeneration seemed to be results of wide-spread vice. Throughout the *Annals* vice and virtue are continually juxtaposed and sharply contrasted. According to Tacitus, "a historian's foremost duty [was] to ensure that merit is recorded, and to confront evil words and deeds with the fear of posterity's denunciations."³⁶

The sinister imperial court of the all-powerful Tiberius is at the centre of the *Annals*. The concentration of power in the hands of a ruthless emperor and the latter's response to problems of loyalty had a fascinating effect on Tacitus; his artistic accounts of the historical epoch he tackled rendered his work highly suspenseful. To Tacitus, Rome is the main concern, and its emperor forms a primary constituent of his interest. The historian was born when Nero was emperor and lived under the reign of Trajan (A.D. 98-117) and probably for some years into the reign of Hadrian (A.D. 117-138). His criticism of the emperors Tiberius, Cladius, and Nero is, he claims, impartial:

I shall write without indignation or partisanship: in my case customary incentives to these are lacking.

(*Annals*, I. 1, trans. Grant, p. 32)

Despite Tacitus's self-defence of impartiality in his work, his portrayal of Tiberius is anything but impartial. To him, Tiberius is an arch-hypocrite whose duplicity and concealment is all emphasized in the manuscript. Cunning, ruthless, lascivious and suspicious of those around him, Tiberius receives all gloom and

censure from Tacitus. In sharp contrast to the emperor's marred portrait, Germanicus, Tiberius's kinsman, is painted in bright colours, and his virtues are splendidly emphasized.

The viciousness of Tiberius, Tacitus implies, became apparent when his power became omnipotent. Every talent the Roman historian acquired was employed to paint the lurid picture of the emperor. The historian's claim of impartiality, in fact, can be refuted by his "intuitive" portrayal of the emperor. He employs his own intuition in interpreting all available possibilities about the emperor, always to give the worst impressions. Tacitus's partiality, evident in his projection of the character of Tiberius does not, however, take away from the artistic quality of the *Annals* - a quality which almost certainly influenced Jonson in writing his play. It remains to be added, nevertheless, that, because of the lack of references to Tacitus's own sources, it is hard to check the sincerity of his chronicle.³⁷

If Tacitus's aesthetic formulation of his accounts in the *Annals* was a tempting factor for Jonson's reliance on this source, other factors still seemed to have influenced the poet. Among these is Tacitus's attitude towards the political structure of the Roman empire. For Tacitus, the traditional virtues of Rome and its old Republic represented the model for a just political framework. Yet Tacitus seems to have realised that Republican values are something of the past and, therefore, are hard to revive. Vice, he seems to argue, has become so deeply and widely prevalent in imperial Rome that combatting it is almost impossible to achieve. Passivity has thus become the only decent course available. In this respect, he seems to endorse the attitudes adopted by men like Marcus Lepidus. "I find that this Marcus Lepidus played a wise and noble part in events. He often palliated the brutalities caused by other people's sycophancy. And he had a sense of proportion -for he enjoyed unbroken influence and favour with Tiberius" (See *Annals*, IV. 20, trans. Grant, p. 167). Here, again, is another common ground, as will be shown below, between the *Annals* and Jonson's *Sejanus*. However,

Tacitus's pessimistic outlook in the *Annals* is considerably emphasized in the way the historian seems to believe that there can be no good in autocracy when power is concentrated in the hands of a tyrant. This belief is clearly demonstrated in Arruntius's comment, reported in the *Annals*, that "Tiberius, in spite of all his experience, has been transformed and deranged by absolute power" (*Annals*, VI. 48, trans. Grant, p. 225). Tacitus's moral pessimism, moreover, transcends individuals to include groups. This is illustrated, for instance, in his attitude towards the Senate. This once effective constitution has been rendered powerless, he seems to argue, under the omnipotent emperors. As supporter of the oligarchic view of society, Tacitus seems to place little confidence in the Senate under Tiberius who has complete control over all matters. In the absence of a good ruler, he maintains, moral degeneracy becomes the order of the day, hence his underlying pessimism in the body politic of imperial Rome.

This was the historian that Jonson relied upon for the major lines of his drama. Hardly did the dramatist alter historical facts or details which he utilized from Tacitus. However, his treatment of the Tacitean source is hardly slavish. By virtue of skilful compressions, omissions, and rearrangements of his source material, Jonson produced a drama which does him much credit for his creativity. Examples of Jonson's deft handling of his Tacitean source are numerous. In Act Three, for instance, he compresses three events, the trial of Caius Silius, the arraignment of Cremutius Cordus and the introduction to the Senate of Germanicus's three sons - all three incidents historically separate in time - into a single meeting of the Senate, hence creating dramatic intensity.

It was for the well-informed contemporary audience of Jonson's play to observe the significance of compressing the two trials of Silius and Cordus and the effect of their sequence, the trial of a historian following that of a renowned army general. If the trial of Caius Silius was meant by Jonson as a parallel to the famous trial of Walter Raleigh in 1603, the trial of Cordus, the historian who defends his writings against accusations of topicality, may be taken as an analogy to Jonson's

summons before the Privy Council to answer for accusations of topical meaning in *Sejanus* in the same year. Jonson also makes Afer, the orator, the accuser both of Silius and Cordus - a plain departure from the *Annals*. Tacitus's description of this figure as "an undistinguished recent praetor, ready to commit any crime for advancement" (*Annals*, trans. Grant, p. 183), fitted Jonson's dramatic need to make him accuser of two falsely-indicted followers of Germanicus. The historical fact about Afer is that he figures in the *Annals* two years later than Jonson shows (i.e. A.D. 26), and was to be the accuser of Claudia Pulchra, who faced charges of immorality, attempted poisoning of Tiberius, and magic spells over him (See *ibid*).

Jonson's modification of the role of Afer in the action of the play thus brings an authentic personality to this character and serves to make the accusations against Silius and Cordus both unjust and mendacious. Jonson also makes Silius commit suicide in the Senate after a spirited defense in which he turns the accusation against his accusers. This measure creates a great dramatic effect in the play as Silius sets a Stoic example of fearlessness to the Germanican adherents and a forceful challenge to Tiberius and his faction. In the *Annals*, on the other hand, Tacitus reports Silius's suicide but he does not imply that it took place in the Senate (See *ibid.*, p. 167). A prime example of Jonson's deft handling of his Tacitean material is the meeting between Sejanus (the *Praetorian Prefect*) and Tiberius concerning the former's request to marry Livia (III. 503-14). In the *Annals* Tacitus reports that Sejanus's request came to Tiberius in the form of a "memorandum" ("It was customary at that time to address him [Tiberius] in writing even when he was at Rome") and not through a direct conversation (see *Annals*, IV. 39-40; Grant, pp. 176-7). Tiberius also replied in a letter, praising Sejanus's loyalty, yet asking for time, ostensibly in order to form an unbiased opinion. In the play, working on these hints in the *Annals*, Jonson makes a finely dramatic confrontation between the emperor and his ambitious favourite which is soon followed by Tiberius's appointment of Macro.

A significant example of Jonson's transposition of events in the *Annals* is the one concerning Drusus's blow to Sejanus. In the source, Sejanus's seduction of Livia (Tacitus calls her Livilla, but Lipsius calls her Livia, and Jonson follows the latter) and their plot against Drusus, follows the latter's blow to the ambitious favourite. In Jonson's play, however, Sejanus is shown already plotting to seduce Livia; Drusus's blow to him later only serves to strengthen his antagonism towards, and hasten his revenge against, Tiberius's son. Livia is historically the sister to the dead Germanicus, but Jonson maintains silence about this fact.³⁸ By so doing Jonson removes all blemishes that may mar the virtue of the Germanican family and their supporters. His policy, as Jonas Barish has observed, is that evil characters should not have any links with the virtuous individuals who represent a steadfast opposition to Tiberius's tyranny.³⁹

The passage which shows Jonson's handling of his material at its best is probably his introduction of Tiberius's equivocating letter to the Senate which ultimately leads to Sejanus's destruction. The dramatist derived this long and crafty manoeuvre by the emperor from brief references in Juvenal and Dio.⁴⁰ Macro's assault on Sejanus (V. 669-687), as another example, is entirely Jonson's invention and has no warrant in the sources.

One of the liberties Jonson takes in his adaptation of the historical personages into dramatic characters is his reconstruction of the character of Tiberius. The emperor is clearly a less complex figure than his model in the *Annals*. Tacitus reports signs of inconsistency in Tiberius's character in his early years as emperor. He writes about Tiberius prior to and during his reign as an apparently honest man, in contrast to the later years of his reign when he became a master in hypocrisy. The author of the *Annals*, however, stresses the discrepancy between fact and impression in relation to Tiberius. The emperor reportedly had a semblance of virtue which he feigned towards his stepson Germanicus and the latter's three sons. Duplicity and concealment are characteristics of Tiberius who used them to achieve his wicked plans and to reach his objectives. The emperor's

gentle dealings with others, his loyalty to his former wife Vipsania, and his amicable, yet cautious, attitude towards Germanicus are contrasted in the *Annals* with the viciousness which distinguished the later years of Tiberius's reign.

Jonson's Tiberius, on the other hand, is handled with considerable care and skill. In his first appearance he shows signs of piety, decency, and humbleness. He refuses the flattery of the senator who kneels to him, and adds:

Looke vp, on vs, and fall before the gods.
(I. 378)

Lest the audience should be deceived by Tiberius's dissimulation, and in order to utilize the historical information about him in Tacitus, Jonson makes the choral members, Arruntius and Cordus, comment in intriguing asides on Tiberius's duplicity: "Rarely dissembled", "Princelike, to the life" (I. 394, 395). Later in the play, in his meeting with Sejanus (II. 163ff.), Tiberius adopts a role of humanity, kindness, and religiousness when he questions Sejanus's lesson on "policy and state" (II. 171), as the latter gives him advice to eliminate Agrippina and her sons. Having probed Sejanus's thoughts and tested his allegiance, Tiberius reveals his true self: "We can no longer /Keep on our mask to thee, our dear Sejanus." (II. 278-79) From this point on, Tiberius is portrayed as a Machiavellian master in the arts of state and politics, and dedicated to obscenities and evil-doing. Even his retirement to Rhodes, with both its ostensible indifference to power and its religious intention⁴¹ was to single out and execute his opponents. (IV. 376-386)

In his reconstruction of Tiberius, then, Jonson detracted from this character all epitomes of discrepancy, making him more consistent than the figure of the *Annals*, hence more convincing. From a wide catalogue of annual atrocities committed by Tiberius and recorded by Tacitus, Jonson culls a few samples of the tyrant's crimes and dramatises them skilfully. At times, Jonson makes good use of Tacitus's hints at the emperor's hesitation and incompatibility by transforming such hints into parenthetical remarks which highlight Tiberius's deviousness and

equivocation. He also puts Tacitus's own censure of Tiberius's ruthlessness into the mouths of the Germanicans, particularly Arruntius.

No less adroit is Jonson's treatment of the Germanican party, the virtuous characters who resist the corruption of the court and comment on the action as it unfolds. Agrippina and her followers are presented as completely honest and honourable, in sharp contrast with the representatives of evil in the play. Tacitus, in fact, punctuates his narrative with criticism of members of the Germanican family. In the play, however, any abuse of them comes from characters who are not trustworthy, like Sejanus and his followers. Censure of Agrippina as "that male-spirited dame" (II. 211), therefore, comes from Sejanus. In the chronicle, on the other hand, it is Tacitus who attributes to her the male qualities, referring to her as "this great-hearted woman" who "acted as commander" in the German Wars (*Annals*, I. 68, trans. Grant, p. 71).

Similarly, Drusus, Tiberius's son, a figure of cruelty in Tacitus' *Annals* (IV. 2, trans. Grant, p. 158) is portrayed in a better light in Jonson's play than in the *Annals*. Livia, as has already been mentioned, is historically sister of the dead, but highly-respected Germanicus,⁴² but this fact is deliberately ignored by Jonson who wishes to make a clear-cut distinction between the 'good' and 'evil' characters. The dramatist also plays down Tacitus's conviction of Silius's charge of extortion (*Annals*, IV. 18, Grant, p. 167). Sabinus, another Germanican member, has a stronger presence as a stage character than his historical counterpart. Whereas he is given to complaining in the *Annals*, he becomes an embodiment of Stoicism and rectitude in Jonson's play. Lepidus, who historically enjoyed Tiberius's favours and was almost neutral (*Annals*, IV. 19, Grant, p. 167), is a critic of the emperor and his policies. Equally dexterous is Jonson's presentation of the leading figure of the chorus-like group, Arruntius. In the *Annals*, this character figures only in sketches. Jonson expands information reported by Tacitus about him and makes him a spokesman for the Germanicans, (and sometimes for Jonson himself), criticizing vice and tyranny in imperial Rome.

If there is some conformity between the *Annals* and Jonson's play on a specific figure, it is on that of the title-character. Tacitus paints Sejanus's portrait with lurid colours, and Jonson highlights the dark spots of his stage evil-doer. In the play, Sejanus is modelled after the Senecan villain who boasts about his triumphs over innocent people and relishes in his brutality. An upstart, Sejanus is overblown by his successive and successful elimination of his adversaries. Jonson, in order to undermine his villain's superiority over other characters, couples his hubris and haughtiness with a fatal misjudgment which ultimately bring about his downfall. Sejanus's carelessness towards the gods and his criminality for the sake of criminality are manifestations of an unstable and degenerate soul, and deserve condign punishment and humiliation. The favourite's fatal miscalculation in asking for Tiberius's consent to marry Livia, as a stepping-stone towards gaining the imperial throne, shows Sejanus's genuine obtusiveness, despite his ostensible expertise in the art of political survival. The overall impression of the eponymous villain of Jonson's play is that he is, as Anne Barton writes, "a bogeyman as hollow as his own statue in the theatre of Pompey."⁴³ In a sense, *Sejanus* anticipates the appearance of the later comic characters of Sir Epicure Mammon and Volpone. By ignoring in the classical sources certain details which magnify Sejanus as a tragic protagonist, Jonson chose to present his titular character "not as a compelling tragic villain, but as a kind of lethal buffon."⁴⁴

In relying upon Lipsius's edition of Tacitus's *Annals*, Jonson made good use of elaborate footnotes, provided by Lipsius together with the history of Vellius Paterculus, the "Excursus" and the index. Jonson no doubt luxuriated in enriching his quarto edition with citations to classical sources as he was able to pursue them effortlessly in Lipsius's marginal annotations.⁴⁵ As Boughner has shown, Jonson, in a few instances, follows Lipsius without acknowledgment. Drusus's threat, for example, to nail Sejanus on the cross (I. 571) is originally derived from Lipsius, who notes the ignominy of crucifixion as a punishment for slaves. Also, Sejanus's remark to his master that he believes he is "worthy his alliance" (III. 514), would

have been left ambiguous if it was not accompanied with Lipsius's marginal note, "*filia eius Claudij filio desponsa*," which reminds the reader that Sejanus's daughter was betrothed to the son of the future emperor, Claudius. Jonson also availed himself of Lipsius's rubrics which his edition teems with, copying some of the editor's references into his own marginal notes.⁴⁶

To complement his material about the topic of his play, Jonson, as has been noted, turned to other classical sources, some of which were referred to in Lipsius's edition of the *Annals*. Suetonius provided the poet with accounts of the emperor in what the historian called "Life" of Tiberius in his "Lives of the Twelve Caesars". In this work the Roman tyrant is portrayed as changing in character from an apparently modest emperor into a ruthless dictator who later devoted his time to crime and debauchery. Suetonius, for instance, reported that Augustus had once said of Tiberius: "Alas the Roman people, to be ground by jaws that crunch so slowly."⁴⁷ Jonson adopts this detail into his play, integrating it into his recurrent imagery of devouring.⁴⁸ This is what Suetonius reported about the atrocities committed by Tiberius:

Not a day passed without an execution, not even those that were sacred and holy; for he put some to death even on New Year's day. Many were accused and condemned with their children. The relatives of the victims were forbidden to mourn for them. Special rewards were voted the accusers and sometimes even the witnesses. The word of no informer was doubted. Every crime was treated as capital, even the utterance of a few simple words.⁴⁹

This theme pervades the play as the poet assimilates the details in this quotation without restricting the material to a certain passage. Although Suetonius, having been imperial secretary, gathered much information about the life of Tiberius, his work, despite its vividness, lacks much of the artistic qualities of Tacitus - a fact which manifests itself in Jonson's treatment of the sources.

Dio Cassius's *Roman History* also contributed to Jonson's final chapter on Sejanus's life, which is incomplete in the *Annals*. In this classical source Jonson found information relating to the banishment of Agrippina, her two sons Nero and Drusus, and to the arrest and consequent death of Sejanus. Material from Dio

forms part of the last two acts of *Sejanus*. In this classical work Tiberius figures as a calculating manipulator of events. This attribute is appositely reported by Dio in his account of Sejanus's fall from favour as a consequence of self-deception, in contrast with Tiberius's craft.⁵⁰ But unlike Tacitus's *Annals*, Dio's history lacks the vividness and imagination which characterizes the former work. However, Dio's prestigious position and his proximity to the imperial court of his day had enabled him to gather a first-hand experience of eminent affairs; Jonson seized this advantage and benefited by it.

Jonson also relied on Juvenal's Tenth satire which provided him with an account of the dissection of Sejanus's body by the Roman populace. The Juvenalian influence on Jonson's play, as Boughner has shown,⁵¹ is pervasive. Jonson assimilates Juvenal's rigid ironies and outrageous details and transforms them into remarks voiced by the bitter-tongued moralist Arruntius. There are sixteen extant satires by Juvenal and they all seek to expose vice in Rome in the concluding years of the first century. In Satire One, Juvenal states his reason for writing his *Satires*: "facit indignatio versum" ("indignation will drive me to verse").⁵² In Jonson's play the same emotion of "indignation" is vigorously adopted by Arruntius, the harsh commentator on the action.

No sooner does the action start than Jonson acknowledges his debt to Juvenal. The lines spoken by Arruntius at the outset of the play, in which he draws a distinction between the corrupt sycophants of the court and the righteous men who oppose evil, is taken, as Jonson cites, from Juvenal's first satire (line 75, and II. 49ff.). About two hundred lines later, Jonson ascribes Sabinus's line on Sejanus, "the second face of the whole world" (I. 217) to Juvenal, *Satires*, X. 1. 63. Earlier, to Silius's remark that informers can "cut Mens throates with whisperings" (I. 30-31), Jonson cites Satire V. 109-10. Similarly, to lines 38-40, uttered vociferously by Silius, Jonson acknowledges his debt to Juvenal's third Satire, lines 105[ff]. Arruntius's lines, "And for the empty circumstance of life /Betray their cause of

living" (200-1), describing the servile informers of Sejanus, are borrowed, without Jonson's acknowledgment, from Juvenal's eighth satire, lines 83-84.

Also, Arruntius's startling comment on Tiberius's endurance of flattery (I. lines 380-82) is taken, as Jonson cites, from Satire IV. lines 70-1. Lepidus's advice to the garrulous Arruntius to learn the "arts" of survival through stoicism (IV. 295-311) is originally embedded in Satire IV. lines 86-93, but Jonson borrows it silently. Again, Arruntius's boisterous, ironic prayers at (IV. 336-40) are in fact taken from Satire XIII, lines 78-83, although the context of the oaths in the *Satires* is different from that in the play. Arruntius's angry protest at Tiberius, the "monster" whose "crimes" match his "loathed person" (IV. 373-408) is borrowed from Juvenal's Satire IV, lines 2-4 and 14-15.⁵³ Such phrases as the one referring to Tiberius's "rout of Chaldees" (IV. 380) and the one sneering at him as the "Ward to his owne Vassall" (IV. 403) come from the famous Tenth Satire, the former line from line 94 in the Satire, the latter from lines 92-93.

Another example of Jonson's borrowings from Juvenal is Arruntius's sneer at Sejanus's clients and their "pale troubled ensigns of great friendship" (V. 435), which is taken, without the poet's acknowledgment, from Satire IV. lines 72-72. Jonson also borrowed Juvenalian material to put in the mouths of other characters. Sejanus, for instance, has his vow to retaliate against Drusus (II. 140-41) borrowed from Satire VI. line 159. Pomponius's remark about Macro that he "can look, and spy /Flies in the roof when there are fleas i'bed" (IV. 517-18), is taken from Satire I, lines 56-57.⁵⁴

The pessimistic view about Roman society, pervasive in the *Satires*, makes Juvenal's work akin to that of Tacitus. As in Tacitus's *Annals*, Juvenal's *Satires* uncover a society eroded by vice and evil - a society in which noble classes are decadent, and regard for virtues and morality has been replaced by the pursuit of wealth and self-indulgence. Jonson's reliance on Juvenal, though minor, may have resulted from the Roman satirist's eloquent style and good knowledge of Rome and the causes of its society. Juvenal hated vice and responded to its presence with an

arsenal of moral invective and pithy tags. In his work he satirizes a world in which civilisation is shamefully and irredeemably deformed, and in which despotism has replaced the former values of the Republic. Juvenal's familiarity with the moral teachings of the Stoics, his impressive power of description, and his command of rhetorical composition, all combined to render his work attractive to Jonson and valid to his dramatic purposes in *Sejanus*.

The central force of Jonson's play, then, derives from a reading of Juvenal. The detestation of the court corruption, characteristic of the *Satires*, is pervasive in *Sejanus*. The Roman satirist inspired Jonson to develop the underlying theme of the play from a struggle between the evil of Sejanus and the good of the Germanicans to a contest between the evil of Sejanus and that of his master. The opening lines and similar passages in the play serve to emphasize the idea of disengagement of the noble characters from the totally-corrupt court. As the play progresses it becomes evident that the two forces combatting in the political arena of Jonson's play are Sejanus and Tiberius.

One major Juvenalian ingredient which Jonson introduced into his play is the figure of Fortune. In the Tenth Satire Juvenal couples "Fortune" with the fall of Sejanus, and Jonson, through the chorus-like characters, satirizes those who rely on the fickle goddess. The stage Lepidus says that only unwise people make 'Fortune' a deity (V. 473-4). This statement is made in contrast with Sejanus's blasphemous remark, made earlier in the same act: "I know not that one deity, but Fortune" (V. 811). However, Jonson's attitude to the role of 'Fortune' in this play is contradictory. The reason is that Jonson mingles the Juvenalian contempt of 'Fortune' with the medieval attitude to the goddess. This medieval concept that the goddess Fortune dominates human actions and determines their success is incorporated into the play in the following lines: "'Great mother Fortune, queen of human state, /Rectress of action, arbitress of fate, /To whom all sway, all power, all empire bows.'" (V. 178-80)

The influence of this figure as a valid and dominant power in Jonson's play is also apparent in the personification of the statue of the goddess ("Fortune averts her face!" - V. 186). The mixture of Juvenalian and medieval concepts towards this figure creates a sense of ambiguity in *Sejanus*. On the one hand, Jonson claims that Fortune, the deity, is only the creation of unwise men, while he gives substance to her efficacy by animating her statue. Moreover, as 'Fortune' is proved a deity (by means of the miracle she performs), there is the recurrent insistence in the play that men, not gods, are responsible for their own actions. To Jonson, the Juvenalian contempt of 'Fortune', a valid philosophy, was irresistible, and so was the medieval concept on the fickleness of the goddess. However, marrying the two ambivalent concepts in this play seems to create more problems than it resolves.

Among Jonson's minor classical authorities are Horace and Claudian. From the former, a sympathizer of the Roman Republic, he borrowed material culled from a variety of works such as the famous *Art of Poetry* (*Ars Poetica*), *Odes*, *Epistles*, and most importantly, the *Satires*. From the last work Jonson benefited by Horace's criticism of human follies and his ridicule of the pursuit of extravagance and indulgence. Claudian's *Against Rufinus*, a source unacknowledged by Jonson, apparently provided material on the dismemberment of Sejanus's corpse by the angry mob at the conclusion of the play. Jonson also drew upon Martial's *Epigrams* for minor material. The subject matter of this work is derived mainly from contemporary Rome.⁵⁵ The *Epigrams* ridicule human vice and folly and constitute a faithful reflection of the life of the city. Martial also displays an outstanding wit, a felicitous style and a variety of themes. To Jonson, himself a satirist and a renowned author of city comedy, Martial was, no doubt, a valuable source.

Also discernible in *Sejanus* is the influence of Machiavelli's two famous works, *The Prince* and *The Discourses on Livy*. Although the influence of these two works seems to pervade the play, there is no acknowledgment to the Florentine author in Jonson's marginal notes.⁵⁶ Indded, it may well have been the case that Jonson derived the "Machiavellian" traits of both Tiberius and Sejanus from

Tacitus's narrative and other sources. Tacitus notes that although Sejanus was considerably cunning, "in that he was outclassed by Tiberius" (*Annals*, IV. 1; Grant, p. 157). However, certain passages in the play which correspond significantly to passages in Machiavelli's work are worth pointing to.

The Florentine tactician gives Sejanus's conspiracy against Tiberius as an example of how a prince should guard himself against conspiracies by keeping his favourites under close watch. In the sixth chapter of Book Three in *The Discoveries*,⁵⁷ Machiavelli advises the prince to beware of his favourites more than those whom he has injured for, though both would seek to usurp his power, the latter lack the means to achieve it while the former do not. The corresponding lines in Jonson's play are the following:

Those are the dreadfull enemies, we raise
With fauours, and make dangerous, with prayse;
The iniur'd by vs may haue will alike,
But 'tis the fauourite hath the power, to strike.
(III. 637-40)

Other textual evidence which suggests Jonson's debt to Machiavelli concerns the latter's advice to the prince to be not only a tiger in ferocity but also a fox able to detect traps laid for him by his enemies. In the play, therefore, Tiberius is described as "A good fox" (V. 593). The stage Tiberius also heeds Machiavelli's advice that a prince should be patient in preparing to crush a conspiracy against him when he knows one is being intended against him. Tiberius's fraudulence, a pervasive theme in the play, elicits cynical remarks such as "Rarely dissembled" and "Princelike, to the life." (I. 394-95)

Jonson's Tiberius also acts in accordance with Machiavelli's advice to the prince to show a semblance of piety, albeit he is not actually religious. Accordingly, Tiberius feigns respect to the gods (I. 379). To Sejanus, he speaks "like a god" (I. 379). He is the "mortal" monarch (I. 477) who argues with his minion in favour of religion and morality (III. 175, 181) before he finally drops off his "mask" (II. 279). His departure to Campania, he tells his new favourite, is "Not for our pleasure, but to dedicate /A pair of temples [etc]" (III. 671-72).

In making Tiberius ostensibly religious, Jonson made an obvious departure from his main sources. There is no reference in Tacitus's *Annals* to the emperor's association with religion. Suetonius explicitly reports that Tiberius denied a belief in the gods and was negligent about religious observances: "He lacked any deep regard for the gods or other religious feelings, his belief in astrology having persuaded him that the world was wholly ruled by fate."⁵⁸ In Machiavelli's *Prince*, on the other hand, the monarch is given the advice that he should "appear a man of compassion, a man of good faith, a man of integrity, a kind and a religious man. And there is nothing so important as to seem to have this last quality."⁵⁹ In Jonson's play, the indignation over the prevalence of spies and flatterers in Tiberius's court, as Boughner has suggested,⁶⁰ is perhaps borrowed from Machiavelli. At the outset of the play Sabinus bitterly, yet wittily remarks:

Tyrannes' artes
Are to giue flatterers, grace; accusers, power;
That those may seeme to kill whom they deuoure.
(I. 70-72)

In his *Discourses* Machiavelli provided a solution to a problem which he had endeavoured to resolve in the earlier work, namely, whether Tiberius could lure Sejanus into false confidence which might result in his destruction. Jonson developed this line into dramatic suspense by elaborating on details about devious skills in politics, established by Machiavelli in *The Prince*. The method of the ruin of Sejanus by the more cunning Tiberius bears obvious similarity to Machiavellian details. For the classical authorities Jonson consulted for writing *Sejanus* are not equivocal about the contest for power between the emperor and his favourite. Tacitus, for instance, reports how after a few years of "stability and domestic prosperity" into the reign of Tiberius, the emperor became tyrannical. "The cause and beginning of the change," he comments, "lay with Lucius Aelius Sejanus, commander of the Guard" (Tacitus, *Annals*, IV. 1, trans. Grant, p. 157). The implication of a conspiracy between the emperor and his favourite is reflected in Arruntius's denunciation of the "confederacie" (I. 385) between the two titans

against Rome. In the play, however, this idea of a plot against the Romans is not developed any further. Suetonius suggests that Sejanus was a dupe of his master through whose repression and intimidation Tiberius rid himself of the sons of Germanicus and secured the succession of his own grandson.⁶¹ Machiavelli, on the other hand, in the famous chapter "On Conspiracies" in *The Discourses* refers to the idea of "ingratitude" by favourites who conspire against their benefactors. This is echoed in the play by Tiberius, who, in the final act of the play, compares between his "love" to Sejanus (V. 572) and Sejanus's ingratitude to him.

Sejanus is then a prime example of how historical material can be transformed by means of art into dramatic composition, without seriously departing from the recorded facts. Jonson's principal concern in this play, as in *Catiline*, is not to portray the complexity of historical events and personalities, but to trace the causes and effects of the decline and consequent demise of the body politic. In this respect, the play has a different identity from that of Shakespeare's *Julius Caesar*, *Coriolanus*, or *Antony and Cleopatra*. Jonson's fidelity to the Roman "atmosphere" -the minutiae of Roman life, both in its social and political structures- serves only to buttress the reality of the play. His overall treatment of his material, especially his simplification of the historical personages, shows that his main objective in *Sejanus* is, to use Sidney's words, to reveal not "what is" but "what should be",⁶² or in Barish's term, "moral truth conveyed through historical truth."⁶³ It is also obvious that Jonson assimilated all his material but the result is a cogent dramatic composition that is anything but a "transcript" of classical sources or an "admirable mosaic" of translated bits.

Jonson's strong tendencies towards historical writings are well documented,⁶⁴ but his treatment of Roman history in the two tragedies shows him more akin to poetry than to history. His marginal annotations in the quarto edition of *Sejanus*, though they attest to the "truth of Argument", were also provided to save him from "those common torturers that bring all wit to the rack." This is hardly surprising, given that *Sejanus* appeared on the stage two years after the

rebellion and subsequent execution of Essex and only a few weeks after the sensational trial of Raleigh; both men were royal favourites indicted for having plotted to overthrow their respective monarchs.

Jonson fused into *Sejanus* composite elements of dramatic traditions. He drew upon the late sixteenth- and early seventeenth-century Senecan drama and the chronicle play. From the first he adopted the rhetorical technique, narrating battles and major incidents, rather than presenting them on stage, a move which earned him Dryden's praise in the Restoration.⁶⁵ From the chronicle play Jonson borrowed the vividness and direct impact. Moreover, Jonson enriched his drama with authentic and precise historical references, heeding Aristotle's conviction that verifiable material makes tragedy convincing. He also borrowed aspects of Greek and Roman tragedy, medieval drama, and Renaissance revenge play.

III

The plot of *Sejanus* is carefully and skilfully drawn, and incidents are deftly ordered as to create the desired dramatic tension. The action covers the historical period between the murder of Drusus (A.D. 23) and the fall of Sejanus (A.D. 31). Act One exposes the heart of the dilemma: corruption of the court and the tyrannous power of the emperor's favourite, Sejanus. It is revealed how Germanicus, the memory of whom is the cynosure of the Republican supporters, was poisoned in a plot by Tiberius and Sejanus, before the start of the play. The Germanicans' detachment from the amoral political struggle is also emphasized in this act. Act Two reveals the plot by Sejanus against one member of the Germanican supporters, Drusus, heir apparent to the imperial throne, with the aid of the latter's corrupt wife, Livia. The character of both Sejanus and Livia, two shockingly cool plotters, are carefully drawn.

The third act, the most important part of the play, shows the elimination of Silius and Cordus as a result of Sejanus's plots against the Germanicus faction. Sejanus reveals the extent of his ambition to his master and the latter responses to

the former's potential threat by appointing Macro. Macro's soliloquy at the end of this act reveals his cool viciousness and adds to the aura of apprehension in the play. Act Four concentrates on the plot against Agrippina's followers, particularly Sabinus, who is then entrapped by spies. Neither of the two titans appears in this act, but the new favourite Macro reveals his concern to consolidate his position against Sejanus. The final act opens with Sejanus's soliloquy in which the protagonist boasts of his power and achievements. A series of portents followed by contradictory letters to the senators and an equivocating one to the senate assembly from Tiberius all foreshadow Sejanus's precarious position. Tiberius's letter craftily condemns Sejanus; he is killed and his body dismembered by the angry mob, and the senators hail Macro as a saviour of Rome.

The Germanicans are first presented as a political party which, despite their individual virtues, lacks the unity and ideological coherence. Sabinus and Arruntius disagree on whether "the times" or "the men" are corrupt (I. 86, 87). Similarly, Silius and Sabinus have different views from Arruntius' on Drusus, the emperor's son (I. 106-116). Sabinus objects to Cordus's comparison in his chronicles between Germanicus and Alexander (I. 143ff.). As the action proceeds, the Germanicans display various patterns of virtue, but they also reveal the need for a leader who can unite them and coordinate their efforts to combat evil and corruption. However, they are all at one with each other on mourning their dead hero, Germanicus, poisoned before the start of the action. Agrippina, widow of Germanicus, is the typical Roman matron; Tacitus calls her "[t]he glory of her country ... the only true descendant of Augustus, the unmatched model of traditional behaviour." (*Annals*; trans. Grant, p. 121) Arruntius is a cynical, yet capricious critic on the action. A garrulous supporter of Agrippina, he is spared by Sejanus to create a false sense of security to his companions. Silius is a slightly prideful but otherwise a righteous military commander; Lepidus a stoical and the most politically conscious of the whole group; Cordus a candid historian whose eloquent defence of his writings only accelerates his death; and Sabinus an unguarded Germanicus supporter who can be

easily ensnared by state spies and condemned. Though few and ineffective, the Germanicans are the conscience of Rome and a reminder of the old virtues. Their effect seems to be limited only as a result, as the play concludes, of the utter corruption of the Senate and the fickle mob. As stoical moralists yet victims of the evil powers in the play, the Germanicans are portrayed like martyr figures, suffering and dying for the redemption of their compatriots.

Like the case with most of Jonson's plays, *Sejanus* is a play in which scenes are always crowded with characters, more crowded, in fact, than in any of Shakespeare's Roman plays. But unlike Jonson's other plays, especially the comedies, which portray the hustle and bustle of the city, the crowded scenes in *Sejanus* add to the moral confusion which the play consistently emphasizes and underlines the political and ethical division between the characters. Good and evil, continually contrasted in Tacitus's *Annals*, are also persistently and sharply contrasted in Jonson's play, represented by the Germanicus party and the Sejanus faction. Thus followers of both factions need to be juxtaposed on the stage. No sooner do Sabinus and Silius appear at the outset of the play than they are followed by two of Sejanus's "clients", the spies Satrius and Natta. Moreover, members of the Germanicus party have to be on stage alongside with Tiberius, Sejanus or their followers in order to comment on the action. It is through Silius's lines (I. 23-41) that we know of the nature of Satrius and Natta, who pass by in silence. Similarly, it is through Silius's cynical comment that we "observe the stoops, /The bendings, and the falls" (I. 175-6) for Sejanus on his first appearance. And it is Arruntius's comment on Tiberius's dissimulation (I. 374ff.) that we are made aware of the histrionics of the emperor in this play. The crowdedness of the scenes in *Sejanus* also serve to heighten the sense of suspicion and paranoia among the Germanicans. Each of the characters in the play is concerned about the political identity of the other. Nobody trusts anybody. Natta asks Latiaris whether Cordus is "Drusian, or Germanican ... Or ours, or neutral" (I. 80-1). Tiberius does not trust even his favourite until he has probed his thoughts (II. 278-9), and members of the

Germanican party have to be continually reminded to be cautious so that they do not disclose their thoughts in the presence of Sejanus' men.

The dramatic force of Jonson's *Sejanus* derives from its tense and unrelenting atmosphere of paranoia and claustrophobia. A long cycle of crimes and intimidation accompanies, uninterrupted, the action of the play. This is, in fact, Jonson's reflection of Tacitus' summary of the lurid reign of Tiberius: "Cruel orders, unrelenting accusations, treacherous friendships, innocent men ruined -a conspicuously monotonous glut of downfalls and their monotonous causes." (Grant, p. 173) Germanicus is poisoned prior to the action because of his popularity among his soldiers and his threat to Tiberius and Sejanus (I. 160-714). Drusus, the emperor's son, meets the same fate because he boldly questions Sejanus's authority. The popular Silius and his wife are arraigned and falsely accused of connivance and rapacity. Cremutius Cordus, a forthright historian, is executed because in his writings he allegedly "doth tax the present state" (III. 308). Agrippina's niece "deare Claudia Pulchra" and the "innocent Furnius" (IV, 21; 22) are two more examples of the victims of Tiberian terror. Sabinus is lured to his death by spies who extract from his mouth critical words against Sejanus (IV. 182-214), and then accused of "treason", executed and "drawne from the *Gemonies*" (IV. 283). Agrippina is "confin'd to *Pandataria*" (IV. 335), and of her three sons, Drusus Junior is held "prisoner in the palace" (IV. 333), and Nero is "banish'd into Pontia" (330). Silius remarks: "Our looks are called to question, and our words, /How innocent soever, are made crimes" (I. 67-8). And while Arruntius doubtfully says: "Our ignorance may, perchance, help us be saved /From whips and furies" (III. 20-1), Arruntius asks: "May I think, /And not be racked? What danger is't to dream /Talk in one's sleep, or cough? [etc]" (IV. 304-6), and Agrippina rightly remarks that under Tiberius "No innocence is safe" (IV. 40). Arruntius is spared simply because he "only talks" (II. 299) and may, therefore, "take away all thought of malice" in Tiberius's persecution of the rest (III. 498-500).

The Germanicans' fault lies not in their failure to adopt the policies of the evil characters in the play, but in their failure to align virtue with action, as their respected hero, the dead Germanicus clearly did:

He was a man most like to vertue'; In all
And euery action, neerer to the gods,
Then men, in nature.

(I. 124-6)

Germanicus is described as having had "The innocence of Cato, Caesar's spirit," (I. 151), which suggests an alliance of rectitude, valour and action. As the play shows, no member of the Germanicans succeeds in emulating him. Even his wife Agrippina, yielding to the spies Sejanus sends to her house, finally gives her children this stoic, yet futile advice:

then stand vpright;
And though you doe not act, yet suffer nobly.
(IV. 73-4)

The effect of the advice proves catastrophic, and of Agrippina's three sons, Nero is "banished into Pontia," and Drusus is imprisoned, while the mother herself is "confined to Pandatria" (IV. 330; 333; 335). Caligula, her third son, survives only with the help of the detested Macro. Stoicism and passivity, the play seems to prove, do not achieve to the Germanicans the security they seek. They choose to leave the political arena for Tiberius, Sejanus and their men ("this place is not our sphere", I. 3), but the forces of evil will not leave them. Ironically, the most feasible advice to the Germanicans come from Latiaris, a spy who cunningly asserts that Romans should

... not sit like spent and patient fooles,
Still puffing in the darke at one poore coale,
Held on by hope, till the last sparke is out.
The cause is publique, and the honour, name,
The immortalitie of euery soule
That is not bastard, or a slaue in *Rome*,
Therein concern'd;: Whereto, if men would change
The weari'd arme, and for the weightie shield
So long sustain'd, employ the ready sword,
We might haue some assurance of our vows.
This asses fortitude doth tyre vs all.
It must be actiue valour must redeeme
Our losse, or none.

(IV. 146-58)

Though used as a decoy to lure Sabinus into treasonous remarks, the truth in Latiaris's lines is considerable. The bitter conclusion of the play is that, despite the destruction of Sejanus and the arrest of some of his spies (V. 649-54), the future of Rome holds even more pessimism as Macro, it is predicted, will prove more ruthless than his predecessor (Arruntius, V. 750-3). "At best," writes one critic of *Sejanus*, "Jonson has created a world in which some of the vicious are punished and none of the virtuous rewarded."⁶⁶ The Germanicans, though they persistently resist being drawn into the dishonest game of political intrigue, are an easy prey to Sejanus and his spies, thus failing to adopt their dead hero's principles of acting against evil. The death of Germanicus, before the play opens, has left a notable political vacuum as no one of the Germanican adherents succeeds in emulating the virtues of the dead hero. As Barton succinctly puts it, "It is as though a whole world has been extinguished with Germanicus."⁶⁷ The heart of the matter about the Germanicans' ineffectiveness is that Jonson adopts it, as he had to, from Tacitus. The Roman historian explicitly reports the fatalism in which he and the Germanicans believed. With this concept of fatalism Jonson binds the Elizabethan concept of lineal descent of monarchs and the unlawfulness of rebellions against a tyrant. This is one of Jonson's manifestations of adroitness in transforming classical material into valid moral lessons within the confines of his drama.

Sejanus's destruction at the end of the play is brought about not by the efficiency of the Germanicans, but by what Robert Ornstein calls "the incredible blindness of clear-sighted policy, the fundamental unrealism of Machiavellian realism."⁶⁸ Tiberius's triumph over the favourite is, by contrast, a deserved one as the emperor shows a better and deeper understanding of statecraft. The failure of the virtuous Germanicans to put an end to the corruption and tyranny that engulf the Roman court is due to their inaction, their insistence on remaining aloof from the struggle for power. Their main concern, as the play draws towards its conclusion, is the struggle for survival, and they realise that this is wholly dependent upon their willingness to desert the political arena. The creed of Stoicism and fortitude seems

to offer, after all, little comfort and meaning in a world in which "dreams" and private thoughts are branded as political criticism. The spirited defence of Cordus, arguing in favour of the impartiality of historical writings is utterly rejected by the obviously partial prosecutors. The suicide of Silius, a Stoical figure, plays right into the hands of his enemies as it fails to revive the old virtues in his garrulous companions, and it consequently deprives them of an otherwise effective supporter. Moreover, there seems to be little viability in Lepidus's advice to Arruntius on "the plain and passive fortitude" in order to avoid "tempting the wolf's jaws" (IV. 294, 298), as the latter realises the futility of such policy when he hopelessly remarks:

May I thinke,
And not be rackt? What danger is't to dreame?
Talke in ones sleepe? or cough? who knowes the law?
May'I shake my head, without a comment? say
It raines, or it holds vp, and not be throwne
Vpon the *Gemonies*?

(IV. 304-309)

The passive attitude of the Germanicans, the play seems to show, leads to their destruction, one after the other. Arruntius, the bitter-tongued critic of Tiberius and his followers, is spared only to serve as an unwitting *agent provocateur* (II. 299, III. 498-500), playing, again, into the hands of his hated oppressors. After all, the Germanicans are persecuted because of the beliefs they are *known* to hold, though they hardly act or express their anti-Tiberian sentiment in public, with the exception of Sabinus (IV. 181 ff.), though he does that unaware of the trap which has been laid for him. Sejanus, by contrast, triumphs over his enemies because he refuses to "mis-spend /The time of action" (II. 322) and believes that "Acts of this close kind" (i.e. annihilating political opponents) "Thrive more by execution than by advice" (II. 324-25), an idea which recurs in *Catiline*, (III. 504-5). The Germanicans then literally "mis-spend the time of action" and give more attention to "advice" than to "execution". One crucial example is provided by Arruntius. Alarmed by Sabinus's thought that Sejanus may be plotting against Tiberius and Germanicus's sons to usurp the imperial throne, he ill-advisedly shouts:

By the gods
 If I could gesse he had but such a thought,
 My sword should cleave him downe from head to heart,
 But I would finde it out: and with my hand
 I'd hurle his panting braine about the ayre,
 In mites, as small as *atomi*, to'vndo
 The knotted bed.

(I. 253-58)

The same Arruntius, having known Sejanus's plots against Drusus and other Germanicans, seeks Lepidus's "advice":

What are thy artes (good patriot, teach them me)
 That haue preseru'd thy haire, to this white die,
 And kept so reuerened, and so deare a head,
 Safe, on his comely shoulders?

(IV. 290-3)

This comes only five lines after Lepidus has reported the ironical incident in which Sabinus's dog drowned in the Tiber in faithfulness to his dead master, an "act envied him of us men," as Arruntius himself admits. However, if the principle of Stoicism in *Sejanus* is a failure, the play seems to argue, it is so because it is adopted only by a small minority of good Romans, while the majority that matters is incurably corrupt.

Sejanus seems to understand the weakness of the Germanicans well, and his actions against them are all based on this understanding; he advises the ostensibly naïve emperor:

All modestie is fond; and chiefly where
 The subiect is no lesse compeld to beare,
 Then praise his sou'raigne's acts.

(II. 276-78)

The plight of the 'good' characters in Jonson's play, it would seem, is of their own making as they fail, where Sejanus and Tiberius succeed, in marrying political insight (which they do not lack after all, though they naturally lack the political deviousness of their opponents) with decisive action. From the outset of the play there is the continual insistence that the fault lies with the lethargic Romans:

... the men,
 The men are not the same: 'tis we are base,
 Poore, and degenerate from th'exalted streine
 Of our great fathers.

(I. 86-9)

Passivity and fortitude fail to shelter the adherents of virtue from the tyranny of Tiberius and his ruthless favourite. Sabinus, who stoically argues that -

No ill should force the subiect vndertake
 Against the soueraigne, more then hell should make
 The gods doe wrong. A good man should, and must
 Sit rather downe with losse, than rise vniust.
 (IV. 163-66) --

is himself unjustly arrested, having been lured into revealing his unease about oppression and the spread of spies. Sejanus tells his spy Postumus that "'tis guilt enough" that Agrippina's supporters meet her frequently (II. 341). Tiberius is suspicious of Gallus, for "how'er he flatters us, /His heart we know" (II. 393-4).

The universal tragedy in *Sejanus* arises in part from the fact that, in Lepidus's words, "virtue cannot safely be advanced, /Nor vice reproved" (III. 481-2). The conclusion is, therefore, doubly depressing. The "virtuous" Germanicans are inept because they accept for themselves the role of "the good, dull, noble lookers-on" (III. 16). They render themselves ineffective, first by dissociating themselves from confronting their oppressors, and secondly, by revealing their unease about the evil of the court. Arruntius foolishly, but verbally attacks Sejanus's spies (I. 258-59); and Agrippina, though she knows there are spies in her house, refuses to be cautious (II. 450-6). In contrast, the forces of 'evil' in the play adopt a policy of caution and secrecy. Livia believes that "The thoughts be best, are least set forth to show" (II. 120); Sejanus follows the axiom that "thunder speaks not till it hit" (II. 205), and Cotta notices how Silius's "thoughts look through his words" (III. 319). Silius comments to Agrippina of his wife Socia:

... as shee is bold, and free of speech,
 Earnest to vtter what her zealous thought
 Trauailes withall, in honour of your house;
 Which act, as it is simply borne in her,
 Pertakes of loue and honesty, but may,
 By th'ouer-often, and vnseason'd vse,
 Turne to your losse and danger: For your state
 Is wayted on by enuies, as by eyes, ...
 (II. 436-43)

Agrippina, who once tenaciously refuses to "whisper any thought, or change an act" (II. 455), later realises both the danger and the futility of expressing criticism in public, and she seems to take the "politic sense" of Silius's advice; she tells Gallus:

Here to be seene is danger; to speake, treason:
To doe me least obseruance, is call'd faction.

...

... Let vs fall apart:
Not, in our ruines, sepulchre our friends.
(IV. 30-1; 34-5)

And the same conclusion is drawn by Nero, Agrippina's son: "To lose yourselves for words were as vain hazard /As unto me small comfort" (IV. 326-7). There is the obvious conclusion as well that combating the wide-spread corruption cannot be achieved simply by a small group of righteous Romans, whereas the majority of senators and normal people lack the political insight and can praise a cut-throat like Macro as a saviour of their country:

Regulus. Thanks, to the gods.
Senators. And praise to Macro, that hath saued Rome.
(V. 746-47)

The references to the gods in *Sejanus* are frequent, both by the two titans and the "virtuous" characters. However, Jonson creates the impression that the gods occupy only a marginal space in the action as they are called upon only for personal benefit, hence they are hardly effective. Their unseen presence is necessitated by the Germanicans' need to seek help in their plight from a supernatural power. Although the portents in Act Five are real, they do not create the same dramatic effects of the similar scenes in *Julius Caesar*. The implication Jonson shows in the role of gods is that Sejanus is made a scourge avenging the Romans' "riots, pride, and civil hate" (I. 57). after all, Tacitus remarks that "The cause [of Sejanus' ascendancy] was ... heaven's anger against Rome" (*Annals*, IV. 1; Grant, p. 157). Jonson borrowed details of the omens from his classical sources, especially Dio. However, the omens in *Sejanus* create no holy aura that may enfold the action as their counterparts in Shakespeare's *Julius Caesar*, for instance, do. Nor do they generate the impression that they have bearing on the sequence or

direction of events. In other words, Jonson would seem to be arguing that, as Barton has observed, "the very considerable horrors of Tiberius's Rome derive entirely from the brutality of the way men behave to one another, not from any sense of the mysterious workings of Fate or divine will."⁶⁹

Jonson's language in *Sejanus* forms an integral part of the uniqueness of the play. It complements the action; in fact, it informs it as the action is motivated more by sententious principles than by actual confrontation between characters. Jonson adopts the Tacitean concise and vivid language, and proceeds to describe the action economically and effectively. Language is used by characters in this play as a means of either revealing the true self or obscuring it. Sejanus's lines "'tis air I tread; /And at each step, I feel my advanced head /Knock out a star in heav'n" (V. 7-9), for instance, expose the dream-like quality of his ambition and the unreality of his intellectual ability. Tiberius's language, in contrast, disguises his true self, even to his untrusted favourite (esp. II. 165-279). This linguistic quality of disguising the inner self by the emperor is emphasized by the Germanican commentators such as Silius: "If this man /Had but a mind allied to his words, /How blest a fate were it to us, and Rome!" (I. 400-2). The same idea is reiterated by Arruntius: "But the space, the space, /Between the breast and lips-Tiberius' heart /Lies a thought farther than another man's" (III. 96-98). This policy also helps Tiberius to understand the inner self of his opponents who use the same technique: "And Gallus too: howe'er he flatters us, /His heart we know" (III. 493-4). Similarly, Livia believes that "Thoughts be best, are least set forth to show" (II. 120), and Cotta sees Silius's thoughts through his words (III. 319). The emphasis on this faculty of using language as a means of hiding or revealing the true self resonates through the play and serves to heighten the dramatic tensiity as characters strive to probe each other's thoughts. The result is a highly dramatic atmosphere of secrecy and intrigue. This atmosphere opens the action of the play; Silius tells Sabinus of Satrius Secundus and Pinnarius Natta, spies of Sejanus: "There be two, /Know more than honest

counsels, whose close breasts /Were they ripped up to light, it would be found /A poor and idle sin, to which their trunks /Had not been made fit organs" (I. 23-7).

Similarly effective in the language of the play is the imagery of poison, wind, trees, and hunting hounds. Poison is a recurrent theme as a way of killing. Germanicus was poisoned before the start of the action. Sejanus, with the aid of Livia and Eudemus, plots to poison Drusus. Tiberius also uses the metaphor of poison and counter poison in the following lines:

I'haue heard, that *aconite*,
Being timely taken, hath a healing might
Against the scorpions stroke; the prooffe we'll giue:
That, while two poysons wrastle, we may live.
(III. 651-54)

The figurative conclusion in these lines is that Rome is a "scorpion" poisoned by her own venom. The body politic is desperately in need of a remedy as the malady spreads with no control. Another forceful imagery which pervades the action in *Sejanus* and reveals the intellectual make-up of both evil and good characters is that of trees and wind. A tree is a symbol of strength, bounty, and resistance, in opposition to the wind, the symbol of violence and destruction. Germanicus, we are told, had in him "seeds of the old virtue" (I. 119) and its "fruits" (I. 120). Sejanus, referring to Agrippina's sons, says that "in their apace /The father's spirit shoots up" (II. 192). The theme of confrontation between trees and the wind is used both by Sejanus and the Germanicans. Silius says of the imperial favourite: "No tree that stops his prospect but must fall" (II. 500), and Agrippina teaches her sons that "as the wind doth try strong trees" they should consolidate their virtues by opposing the tyrant (IV. 69). Sejanus, one representative of evil and destruction in the play, sees the Germanicans as trees, and boasts of his power to destroy them:

I, that did helpe
To fell the loftie Cedar of the world,
Germanicus; that, at one stroke, cut downe
Drusus, that vpright Elm; wither'd his vine;
Laid Silius, and Sabinus, two strong Okes,
Flat on the earth; besides, those other shrubs,
Cordus, and Socia, Claudia Pulchra,
Fvrnivs, and Gallvs, which I haue grubb'd vp;
And since, haue set my axe so strong, and deepe

Into the roote of spreading Agrippine;
 Lopt off, and scatter'd her proud branches ...
 (V. 242-51)

That Sejanus seeks destruction of the body of the state, symbolised in the tree and its branches, simply for the sake of destruction, is underscored in his following lines: "Winds lose their strength when they do empty fly /Unmet of woods or buildings, great fires die, /That want their matter to withstand them" (V. 17-19). In short, action and language coalesce effectively in *Sejanus* as the latter embodies the former so that the final effect is that of suspense and apprehension. The famous dialogue between Livia and her physician Eudemus in which they mingle talks of cosmetics and poison, a scene which Dryden criticized as spoiling the tragic effect of the play,⁷⁰ is a masterful stroke by Jonson the satirist to show the shockingly cool detachment and the inhumanity of the evil powers in *Sejanus*.

The critical controversy over the "tragic" effects of Jonson's extant tragedies has arisen from the premise that the two plays lack a tragic hero, thus departing from the Aristotelian and hence the Shakespearean criteria of tragedy. Spectators and readers alike refuse to identify or sympathize with the title-characters of the tragedies who fail to impress them in the same way that Richard III, Macbeth, Tamburlaine, and Faustus do. There is a critical consensus, however, that Jonson's tragedies are "concerned with the tragic flaw *within the social order*, not within the individual."⁷¹ *Sejanus* does not concern itself, despite its title (*Sejanus His Fall*), only with the fall of one prominent protagonist, but also with the fall of a whole society in which chaos takes over order.⁷² L. C. Knights described the world of *Sejanus* as "completely evil" and Lindsay called the play a "total, black, universal tragedy."⁷³ While the reader is comforted by the clear fact that the Germanicans have stood firm against all odds, there is great disappointment in the senators' servile attitude at the end of the play (V. 747-9). It has, for some time, been unfortunate for the play to be judged by the wrong criteria, trying to measure it, wrongly, with the Aristotelian or Shakespearean yardsticks. On the contrary, in *Sejanus* Jonson makes a daring departure from these two dramatic conventions and a

valiant attempt to make it a close representation of Renaissance tragedy: a faithful reliance on history, a major concern for politics and moral values.

Sejanus occupies a crucial position in Jonson's dramatic career. It marks a turning point from the optimism of his early comedies, and anticipates the appearance of the later comedies, *Volpone*, *The Alchemist* and *Bartholomew Fair*. Both *Sejanus* and *Volpone* portray at the centre of the action an ambitious intriguer who seemingly commands considerable wit and power and who is later outwitted by an ally. Both plays have a pessimistic outlook of the human condition whose redemption seems unattainable. The virtuous characters in both plays, the Germanicans in the first and Celia and Bonario in the second, are made to command no great respect and are at the end poorly rewarded for their virtues. And like *The Alchemist* (perf. 1610, pub. 1612), *Sejanus* offers no unalloyed justice with its conclusion.

It is true that Sejanus, a "creeping base" (I. 176) meets his horrid death at the hands of the people whom he oppressed, Macro soon replaces him with a stern prescience from Arruntius that he "will become /A greater prodigy in Rome" than his predecessor. Arruntius's prediction is readily accepted, for Macro's soliloquy earlier in the play constitutes one of the gloomiest moments of the whole drama, the starkest image of evil motivated by personal ambition:

I will not ask why Caesar bids doe this:
But ioy, that he bids me.

...
Were it to plot against the fame, the life
Of one, with whom I twin'd; remoue a wife
From my warme side, as lou'd as is the ayre;
Practise away each parent; draw mine heyre
In compasse, though but one; worke all my kin
To swift perdition; leaue no vntrain'd engin,
For friendship, or for innocence; nay, make
The gods all guiltie: I would vndertake
This, being impos'd me, both with gaine, and ease.
The way to rise, is to obey, and please.

(III. 714-15; 726-35)

The immediate reaction among spectators/readers of the play to the dissection of Sejanus's body is that of horror and disappointment. The populace proves rash and

irresponsible; the figurative meaning of the action of dismembering Sejanus's body is the dislocation of the body politic.⁷⁴ Moreover, the praise by the servile senators of Macro as the saviour of Rome (V. 747-9) adds to the cynicism and pessimism of the situation. Tiberius, the prime mover of evil, is left intact. Similarly, the tricksters in *The Alchemist* escape punishment for their frauds. *Sejanus*, therefore, serves the same objective of Jonsonian comedy: exposing the vice, evil and follies in the society, making responsibility a collective one, and finally bringing about the corrective purpose of drama.

Jonson's theory of the causes of social decadence in *Sejanus* is inscrutable. There is no suggestion in the play that either Tiberius or Sejanus or both are the only evil powers in the play. Rather than being the fount of evil, they are themselves a result of a long process of corruption that envelopes the social and political frameworks of Rome. The good characters themselves admit their part of responsibility in the general decadence. The populace, however, bears most of the responsibility for the plight that Rome finds herself in. As for the causes of this decline in moral values, they are mainly the foreign influences resulting from military conquests of neighbouring countries, especially Greece. Victories brought wealth and the latter caused disintegration into vice and self-gratification both among men and women. Jonson develops these themes and expresses them succinctly in the first chorus speech concluding Act One of his second extant Roman tragedy, *Catiline* (I. 545-86).

Sejanus, to conclude, poses a number of valid questions. What, if any, is the role of the gods in punishing or rewarding the Germanicans? Are men wholly responsible for their actions, or does 'Fortune' play a role in influencing them? Who is to blame for the decline of moral values in Rome? Are the Germanicans really so "base" and "degenerate" from what they were (I. 87, 88) that they deserve the wrath of the gods (56-8)? Who are the people meant in "we" in Arruntius's self-critical lines (I. 86-9)? Certainly, the "noble" characters maintain their virtues

and dignity intact throughout the action and refuse tenaciously to drift into the corrupt court. If it is so difficult to locate malady in the body politic of *Sejanus* how can proper remedy then be effectively prescribed? Does Jonson attempt to foist responsibility on the Germanicans for their inaction and their failure to emulate their dead hero? Did not Germanicus, after all, with all his dignity and his resistance to evil, fall victim to a plot by Tiberius and Sejanus? Moreover, if it is unlawful for the subject to rise against the tyrant, how can evil, then, be combatted? The most important question that the play leaves unresolved is how political power can be transmitted or even if it can be transmitted at all. Such questions engage and provoke both spectator and reader of *Sejanus*. Does not Arruntius's "we" include both spectators and readers whose own societies undergo similar plight to that of the Romans under Tiberius? Or, does not Jonson, at least, warn people against the danger of escapism and self-interest in order to avoid the tragic consequences in *Sejanus*? Like any great work of art, *Sejanus* evokes such questions and leaves them unresolved. However, there is much truth in Anne Barton's observation that in *Sejanus*,

... Germanicus could not pass on his noble qualities to his sons, but the dynastic succession of art is more reliable than that of the body, creating a fraternity of good men transmitted to posterity. In this essence, both Tacitus and Jonson are the heirs and timeless colleagues of Cremutius Cordus.⁷⁵

This "dynastic succession of art", no doubt, makes little theatrical sense as Jonson risks the theatrically-potential details in his sources in order to emphasize the significance of writings to later posterity. Jonson, the historically-minded dramatist, adopts in his play Tacitus's objective behind writing the *Annals*: "It seems to me a historian's foremost duty [is] to ensure that merit is rewarded, and to contrast evil deeds and words with the fear of posterity's denunciation" (*Annals*, III. 65; Grant, p. 150). Hence the importance of the rôle of the historian Cremutius Cordus to Jonson the dramatist who took upon himself to record merit and denounce evil. It is this quality of Jonsonian drama, the narrowing of the distance between

the world of the play and the world of the audience/readers, that makes *Sejanus*, no less than *Volpone* or *The Alchemist*, a play for all ages.

NOTES

1. I am not unaware of the high esteem in which the play was held among Jonson's friends whose laudatory poems Jonson included in his quarto edition of the play.
2. Other minor sources for Jonson's *Sejanus* include Velleius Paterculus, Plutarch, and the poems of Virgil. For other details in the play he consulted contemporary humanistic authorities such as the jurist Budé, Brisson, Giraldus, Stuck, and Pauvinio.
3. Before he wrote *Sejanus*, Jonson had already tried his hand at tragedy; in 1598 Francis Meres listed him in *Palladis Tamia* among "our best for tragedy." In 1599, Jonson is known to have collaborated with Thomas Dekker and others in the now lost tragedies, *Page of Plymouth* and *Robert II King of Scots*, for the Admiral's Men. He may also have written "additions" to Kyd's *The Spanish Tragedy*, in 1602.
4. John Palmer, *Ben Jonson* (London, 1934), p. 41; W. C. Hazlitt, *Works*, ed. P. P. Howe, 6 vols. (London, 1930-1934), vol. 6, pp. 262-3. See also Percy Simpson, *Elizabethan Drama* (Oxford, 1955), esp. pp. 127-8; and "Introduction" to *Sejanus*, edited by W. D. Briggs (Boston, 1911).
5. Jonas A. Barish (ed.), *Sejanus*, The Yale Ben Jonson (New Haven and London, 1965), pp. 1; 5.
6. *Ibid.*, p. 4. In 1951, Joseph A. Bryant, Jr., commented that *Sejanus* "merits serious consideration as something more artistically respectable than a reconstruction of Roman History" - 'The Nature of the conflict in Jonson's *sejanus*', *Vanderbilt Studies in the Humanities*, 1 (1951), 197.
7. Jonas A. Barish, *op. cit.*, p. 4; emphasis added.
8. Philip J. Ayres, 'The Nature of Jonson's Roman History', *E.L.R.*, XVI (1986), 167; reprinted in his edition of *Sejanus His Fall*, The Revels Plays (Manchester, 1990), p. 29. This is in disagreement with the generally-held view that Jonson's two tragedies reveal "a great poet's illumination of two important segments of Roman history" - Joseph A. Bryant, Jr., 'The Significance of Ben Jonson's First Requirement for Tragedy: "Truth of Argument"', *SP*, LXIX (1952), 213.
9. On this point, one should remember that Jonson's self-set objective of "integrity in the story", on the one hand, did not allow him to tamper with the historical fact, added to that his awareness of the risk of censorship if he endorsed in this play killing the emperor, which would have caused him even more trouble with the Jacobean authorities, on the other.
10. See Philip J. Ayres, 'The Nature of Jonson's Roman History', 167-8.
11. See Roberta F. Brinkley, *Coleridge on the Seventeenth Century* (Durham, North Carolina, 1955), p. 645.
12. *A Study of Ben Jonson*, in *The Complete Works of Algernon Charles Swinburne*, ed. Sir Edmund Gosse and T. J. Wise, in 20 vols. (London, 1925-27), XII, p. 42.
13. Joseph Allen Bryant, Jr., 'Catiline and the Nature of Jonson's Tragic Fable', *PMLA*, LXIX (1954), 265-277; reprinted in Jonas A. Barish, *A Collection of Essays* (Englewood, N. J., 1963), pp. 154-155; (square brackets added).
14. Angela G. Dorenkamp, 'Jonson's *Catiline*: History as the Trying Faculty', *SP*, 67 (1970), 213.
15. A. Richard Dutton, 'The Sources, Text, and Readers of *Sejanus*: Jonson's "integrity in the Story"', *SP*, 75 (1978), 189.
16. Jonson provided a cast of the players of the play at the end of his quarto edition of the play. See Ayres's edition, pp. 262-3.
17. Tacitus, *Annals of Imperial Rome*, translated by Michael Grant (Hammondsworth, 1956, rept. 1987), pp. 172, 173.
18. *Ibid.*, p. 173.
19. Anne Barton, *Ben Jonson, dramatist* (Cambridge, 1984), p. 96.
20. On Tacitus's popularity in the Renaissance, see P. Burke, "Tacitism", in *Tacitus*, edited by T. A. Dorey (London, 1969); and Alan T. Bradford, 'Stuart Absolutism and the "Utility" of Tacitus', *Huntington Library Quarterly*, 46 (1983), 127-155.
21. In the 'Prologue' to his *Poetaster* (1601), Jonson implicitly reveals the possibility of alluding to contemporary issues by dramatising Roman history, though he tries to deny following this practice himself. "Envie", who opens the play, is meant to be a satire on those who insisted on reading hidden meanings in ostensibly innocent contemporary plays :

The Scene is, ha!
Rome? Rome? and Rome? Crack ey-strings, and your balls

Drop into earth; let me be euer blind.
 I am prevented; all my hopes are crost,
 Checkt, and abated; fie, a freezing sweate
 Flowes forth at all my pores, my entrailes burne:
 What should I do? Rome? Rome? O my vext soule
 How might I force this to the present state?
 Are there no players here? no poet-apes,
 That come with basiliskes eyes, whose forked tongues
 Are swept in venome, as their hearts in gall?
 Eyther of these would help me; they could wrest,
 Peruert, and poyson all they heare, or see,
 With senselesse glosses, and allusions.

("Prologue," *Poet.*, ll. 27-40, in H. & S., IV, 204)

22. King James was tutored by George Buchanan, who was a scholar and a writer of historical drama. James's impressive knowledge of the classics is attested in his library of a large collection of Greek and Latin books (See Antonia Fraser, *King James VI of Scotland, I of England* (Edinburgh, 1974, rept. 1986), p. 30. It is worth noting that King James was, ostensibly at least, an admirer of Tacitus. For in 1603 he republished his *Basilikon Doron* or *Precepts on the Art of Governing* in which he included references, absent from the original edition of 1599, to classical authors including Tacitus. Although the references to Tacitus in the 1603 edition are not substantial, it is evident that James wanted to show his knowledge of the classics and particularly his awareness of Tacitus's renowned work. This fact may have encouraged Jonson to present his play at Court before its first public performance in late 1603/ early 1604. It has also to be added that Queen Elizabeth not only disliked Tacitus' style but also considered Tacitus a potential teacher of dissent and rebellion to subjects against their monarchs. (I elaborate on these ideas in my Chapter Four, 'The Topical and Political Significance of Jonson's *Sejanus* in Early Jacobean England').

23. Jonson maintains silence about a Tacitean detail, relating to Arruntius in order to make his point about the lineal descent of monarchs. In the *Annals*, I, xiii, Tacitus reports the following:

Augustus in one of his last conversations, had gone over the names of men who would be fit and willing to become emperor, or unfit and unwilling, or fit but unwilling. He had described Marcus Aemilius Lepidus (IV) as suitable but disdainful, Gaius Asinius Gallus as eager but unsuitable, and Lucius Arruntius as both fit and capable of making the venture, if the chance arose, (There is agreement about the first two names; but in some versions Arruntius is replaced by Cnaeus Calpurnius Piso) - trans. M. Grant, p. 40.

Jonson ignores this reference to Arruntius because it contradicts his advocacy in the play of the lineal descent.

24. *Oberon, the Fairy Prince*, in Stephen Orgel (ed.), *Jonson: The Complete Masques* (New Haven and London, 1969).

25. Quoted in Daniel C. Boughner, 'The Tyrant's Arts in *Sejanus*', in *The Devil's Disciple* (Westport, Connecticut, 1968), p. 94.

26. See F. Haverfield, 'Tacitus During the Late Roman Period and the Middle Ages', in *Journal of Roman Studies* (1916).

27. Quoted by P. Burke, "Tacitism," in *Tacitus*, ed. T. A. Dorey, p. 151.

28. Quoted by Degory Wheare, *The Method and Order Both Civil and Ecclesiastical Histories*, translated by Edmund Bohun (London, 1698), 106-7, cited by Alan T. Bradford, 'Sturat Absolutism and the "Utility" of Tacitus,' *The Huntington Library Quarterly*, 46 (1983), 128.

29. "To the Readers", lines 32-33. Jonson also referred to this translation in his "Conversations" to his host William Drummond of Hawthornden in 1619: "The first four bookes of Tacitu' ignorantly done in Englishe" (*Conv.Drum.*, I. 603, in H. & S., *Ben Jonson*, I, 149).

30. *TLS* (1928), 10 May (p. 355); 14 June (p. 450); 21 June (p. 468).

31. "Introduction", *Sejanus His Fall*, p. 14.

32. See *ibid*, pp. 14-15.

33. "To Sir Henry Savile," lines 31-34, in *The Compoete Poetry of Ben Jonson*, ed. William B. Hunter, Jr. (New York, 1963), p.43.

34. Jonson boasted to Drummond that he had translated an entire oration (i.e. Cremutius Cordus's defence in Act Three) of Tacitus in *Sejanus* (*Conv.Drum.*, H. & S., I, 149).
35. "To Sir Henry Savile," lines 10-11, in *ibid.*, p. 43.
36. *The Annals of Rome*, III. 65, trans. M. Grant, p. 150.
37. Tacitus cites Pliny the elder among his authorities - see *Annals*, I. 68, trans. Grant, p. 71.
38. Jonson apparently wished to avoid foisting unnecessary blame on Livia's Germanican relatives - blame inherent in her act of unfaithfulness to her husband and in her complicity with Sejanus to murder him. Tacitus's words are harshly critical of her: "so the grand-niece of Augustus, daughter-in-law of Tiberius, mother of Drusus's children, degraded herself and her ancestors and descendants with a small-town adulterer; she sacrificed her honourable, assured position for infamy and hazard" (*Annals*, IV. 2; Grant, p. 158).
39. Jonas A. Barish (ed.), *Sejanus*, p. 12.
40. See my Appendix A at the end of the thesis.
41. Tiberius tells Macro that his departure to Campania is "to dedicate /A pair of temples, one to Jupiter /At Capua, th'other at Nola, to Augustus." (III. 671-73)
42. See *Annals*, II, 83, trans. Grant, p. 117; IV. 2, Grant, p. 158).
43. Anne Barton, *Ben Jonson, dramatist*, p. 97.
44. *Ibid.*, pp. 97-8.
45. For an illuminating study on Lipsius's influence on Jonson, see Daniel C. Boughner, 'Jonson's Use of Lipsius in *Sejanus*', *MLN*, LXXIII (1958), 249.
46. See *ibid.*, 252.
47. Suetonius, "Tiberius," in *The Lives of the Twelve Caesars*, trans. J. C. Rolfe, Loeb ed., Book III, XXI, p. 325.
48. For a detailed study of the imagery of 'devouring', see Christopher Ricks, '*Sejanus* and Dismemberment', *MLN*, 76 (1961), 301-8.
49. Suetonius, *ibid.*, translated by Rolfe, LXI, p. 375.
50. See *Dio's Roman History*, translated by E. Carey, Loeb ed. (London, 1914-27), vol. 7, LVIII. 10ff.
51. Daniel C. Boughner, 'Juvenal, Horace and *Sejanus*', *MLN*, 75 (1960), 545-50.
52. Juvenal's *Satires*, translated by P. Green, p. 68.
53. There is also a minor reference to Tiberius by Suetonius, "Lives", IV. 22, as "the monster" -see Graves' translation, p. 163.
54. All citations to, and translations of, the passages borrowed from historical sources by Jonson are provided in my Appendix A at the end of the thesis.
55. Martial was born in Northeastern Spain (c. A.D. 40) but came to Rome in A.D. 64 and had first-hand knowledge of the Roman people and their social life. His writings are, therefore, deemed realistic and impartial.
56. This was probably due to the notorious reputation of Machiavelli's two famous works during the Renaissance. On the subject see Felix Raab, *The English Face of Machiavelli: A Changing Interpretation 1500-1700* (London, 1964). It has been argued, however, that Jonson adopted the notion of "Machiavellism" from the classical sources themselves, especially Tacitus; on this view, see E. Meyer, *Machiavelli and the English Drama* (Weimar, 1897), esp. p. 101. For a similar view on Jonson's "Machiavellism" in *Catiline*, see G. R. Hunter, 'English Folly and Italian Vice, the Moral Landscape of John Marston', in *Jacobean Theatre*, Stratford-Upon-Avon Studies, edited by J. R. Brown and B. Harris, 1 (London, 1960), ch. 4.
57. Niccolò Machiavelli, *The Discourses*, translated by Leslie J. Walker, Classics Penguin (Harmondsworth, 1970, rept. 1987), pp. 403, 423.
58. Suetonius, *op. cit.*, trans. Graves, p. 149.
59. Niccolò Machiavelli, *The Prince*, Classics Penguin, translated by George Bull (Harmondsworth, 1961, rept., 1981), p. 101.
60. Daniel C. Boughner, 'Sejanus and Machiavelli', *SEL*, I (1961), 81-100. See also his chapter, 'The Tyrants' Arts in *Sejanus*', in *The Devil's Disciple: Ben Jonson's Debt to Machiavelli* (Westport, Connecticut, 1968).
61. Suetonius, *op. cit.*, ch. LXV.
62. *An Apology for Poetry*, in G. Gregory Smith, ed., *Elizabethan Critical Essays* (Oxford, 1964), p. 164.
63. Jonas A. Barish (ed.), *Sejanus*, p. 4.

64. Jonson is generally believed to have venerated and been on friendly terms with the leading historians of his day, such as Camden, Speed and Selden (J. A. Bryant, 'The Significance of Ben Jonson's First Requirement for Tragedy ...', 206); a nearly completed history on the reign of Henry V is believed to have perished in his library fire in 1623. Jonson also contributed to Sir Walter Raleigh's *History of the World* with commendatory verses and a chapter on the Punic War (*Conv.Drum.*; see also H. & S., *Ben Jonson*, 8, 176).
65. Dryden's views on *Sejanus* will be dealt with in detail in Part Three, especially Chapter Seven.
66. Larry S. Champion, 'Jonson - *Sejanus*, *Catiline*', in *Tragic Patterns in Jacobean and Caroline Drama* (Knoxville, 1977), p. 65.
67. Anne Barton, *Ben Jonson, dramatist*, p. 100.
68. Robert Ornstein, *The Moral Vision of Jacobean Tragedy* (Madison, 1960), p. 93.
69. Anne Barton, *Ben Jonson, dramatist*, p. 99.
70. For a cursory account of Dryden's views on *Sejanus*, see H.& S., *Ben Jonson*, XI, 513-16.
71. K. M. Burton, 'The Political Tragedies of Chapman and Ben Jonson', *EC*, 2 (1952), 397.
72. For a study on the multiple level of tragedy in *Sejanus*, see Barbara N. Lidsay, 'The Structure of Tragedy in *Sejanus*', *ES*, XLIX (1968), xlv-l.
73. L. C. Knights, *Drama and Society in the Age of Jonson* (London, 1937), p. 180; Barbara N. Lidsay, 'The Structure of Tragedy in *Sejanus*', *ES*, 50 (1968), il.
74. See Christopher Ricks, '*Sejanus* and Dismemberment', *M.L.N.*, 76 (1961).
75. Anne Barton, *Ben Jonson, dramatist*, p. 103.

CHAPTER TWO

Jonson's *Catiline*: History as "the light of truth"

In *Catiline*, his second completed attempt at tragedy,¹ Jonson suffered another setback in his career as a writer of the serious genre. Nevertheless, in his play he seems to have been determined as ever to invent dramatic mirrors to reflect the spirit of his age. To him, history was a rich mine of material, and, being an admirer of history and a fine expert in the classics, he took the responsibility of digging out historical episodes and of transforming them into literary pieces that can both please and instruct.² After the theatrical fiasco of *Sejanus* in 1603/4, Jonson still assiduously pursued the historical line to draw on stories of the past in order to form his tragic "poems". Making all possible efforts to ensure a better fate for *Catiline*, he was obviously both proud of and confident with his second tragedy. In his dedication of the play to the Earl of Pembroke, Jonson "thought it the best" and called it "legitimate Poeme",³ unlike *Sejanus*, which he had admitted was "no true Poeme; in the strict Lawes of Time" and "in the want of a proper Chorus" ("To the Readers," *Sejanus*, in H. & S., *Ben Jonson*, IV, 350). But the play's first audience thought of it otherwise, and Jonson disappointingly records that it received "all vexation of Censure" ("To the Reader in Ordinarie," *Catiline*, in H. & S., *Ben Jonson*, V, 431). Like its predecessor, *Catiline* has always suffered from ignorance even among students of literature, and has hardly been revived on the modern stage. At present, it only receives occasional studies and intermittent attention only as a "closet drama" and as an example of Jonson's deeply-rooted interest in the classics.

This chapter seeks to determine Jonson's dependence on classical history and legend, and to map out the historical sources he drew upon in writing his second

Roman tragedy. In the course of comparing the play to its sources attention will be given to the classical and the current theories on the relation of history and tragedy that influenced and shaped Jonson's tragedy. This chapter also proposes to examine the extent of Jonson's reliance on the sources and the scope of his originality and creativity besides the selectivity of material he shows in writing *Catiline*.

Following the example of classical writers by Jonson has often been seen by critics as a close imitation of their works. The dramatist who boastingly expressed his superior erudition in the classics over Shakespeare, who had "small Latin and less Greek" has been tellingly described by Dryden as "not onely a professed imitator of Horace but a learned Plagiary of all the others; you track him every where in their snow."⁴ Defending Jonson against Dryden's somehow overstatement of plagiarism is not an easy task, bearing in mind Jonson's own declaration that imitation involved the ability of a poet "to convert the substance of an other Poet to his owne use" (*Discoveries*, in H. & S., *Ben Jonson*, VII, 638). Although Jonson claims to have followed the ancients only as guides and not slavishly, critics have found many occasions to convict him of looting heavily from other writers. Hazlitt's felicitous description of *Sejanus* as "admirable pieces of ancient mosaic"⁵ can also be aptly applicable to the later tragedy. Apart from a few occasional praises, Jonson's classical tragedies have received almost nothing but quite censorious criticism. L. C. Knights set *Sejanus* among the three "assured masterpieces" of Jonson's canon, but remarked that "*Catiline His Conspiracy* ... although not as dull as it is supposed to be ... has not the spontaneous life of the earlier play."⁶ No less disappointing comment, with a similar seeming praise, is T. S. Eliot's description of *Catiline* as "that dreary Pyrrhic victory of tragedy."⁷ In the Restoration, in which *Catiline* enjoyed some popularity, Pepys pointed out that though "of much good sence and words to read," the play was "the worst upon the stage, I mean the least divertising, that ever I saw any."⁸ That a play like *Catiline*, based on a popular historical event as it is, in an age that highly valued classical

knowledge, to have been badly received, raises questions on the playwright's dramatic presentation and his treatment of the historical material he dealt with.

Catiline His Consiracy displays a great inclination towards history as an authentic source of tragedy. It also pays assiduous attentiveness to its sources, so close that it affects the soundness of its dramatic quality. Jonson's respect and high regard for history is a commonplace as he is known to have mixed with historians of his day like Camden, Speed, Selden and the older Carew. (See H. & S., *Ben Jonson*, I, 31-32, 35). His extraordinary faithfulness to historical facts is attested through his insistence on historical accuracy and the heavy documentation he attached to the quarto edition of *Sejanus*, to achieve what he calls "integrity in the Story" ("To the Readers," *Sejanus*, in H. & S., *Ben Jonson*, IV, 350). However, Jonson's unusual adoption of "truth of Argument" (*Ibid.*) as an essential prerequisite of tragedy has always been a subject of special importance and almost an integral part of any discussion of Jonson's Roman tragedies.

The significance of history in relation to drama goes back to ancient times. On one hand, history was regarded as a branch of poetry, functioning as means to please and instruct the individual towards his fellow-men and society. On the other hand, it was regarded as a branch of rhetoric or philosophy, aiming at raising moral issues by setting examples of great men and actions to imitate. Historians were accordingly concerned with presenting preaching lessons about the causes of vice and corruption in society and with creating convincing examples about maintaining individual virtues and social integrity. It is, indeed, this moral task that drama adopted to represent, relying on history as a source of effective material. An illuminating statement on the relation of history to tragedy in the late Elizabethan age is found in Fussner:

The Elizabethans were interested in the large and important lessons of history - they were certainly not morally neutral observers of the evil that men do. The causes of events were still thought to be personal and dramatic, even if the consequences were not humanly controllable. History and tragedy were closer together than was ever imagined by most literary critics. The subtle ironies of history led to the deepening

awareness of freedom and necessity, of human passion, reason, and pity, that informed the great tragedies.⁹

A contradictory statement to that of Fussner on the relation of history and dramatic poetry is undoubtedly established by Aristotle in Chapter IX of his *Poetics*: "it is not the poet's function to describe what has actually happened, but the kinds of thing that might happen, that is, that could happen because they are, in the circumstances, either probable or necessary."¹⁰ It is the quality of verisimilitude and the ability to see truth in what is likely to happen that, according to Aristotle, renders poetry a higher rank than history. "Poetry," continues Aristotle, "is something more philosophical and more worthy of serious attention than history; for while poetry is concerned with universal truths, history treats of particular facts."¹¹ Aristotle states that even though tragedy must contain real and familiar plot and names, there are tragedies, like Agathon's *Antheus*, in which nothing is familiar and neither plot nor characters are real; yet such tragedies could be popular. Jonson's tragedy with its obvious departure from the Aristotelian edict, adopts a stricter view of verisimilar history, and sticks closer to representing "particular facts" than to "universal truths." In this regard, Jonson seems to have followed later authorities than Aristotle on the subject of historical tragedy. Opinions over this issue underwent considerable changes as poetry was mainly directed towards the past for material suitable for the presentation of tragic actions. It was thus commonly held that such representation might be verisimilar, depending upon reality and dismissing fiction as being unable to phase or to instruct. Joseph A. Bryant cites a relevant statement from the third book of J.C. Scaliger's *Poetics*, which was published in 1561 as an authority on the subject:

When authors take their plots from history, they must be careful not to depart too widely from the records. In the early writers such care was by no means taken. Then Aschylus followed Greek history in binding Prometheus to the rock, but he invented the fiction of his undoing by the thunderbolt, for tragic effect ...

The events themselves should be made to have such sequence and arrangement as to approach as near as possible to truth, for the play is not acted solely to strike the spectator with admiration or consternation - a fault of which, according to the critics, Aeschylus was often guilty - but should also teach, move, and please. We are pleased either with jests, as

in comedy, or with things serious, if rightly ordered. Disregard of truth is hateful to almost every man.¹²

Distinctly, Jonson's *Catiline* closely conforms to Scaliger's standard of faithfulness to truth, but it is equally evident in the play that Jonson goes to the extreme of observing facts to the smallest detail. Nevertheless, Ben Jonson's strict adherence to historical truth and his views of tragedy and its verisimilar argument are thus a natural corollary to a dramatist with special inclinations towards history, adding to that the critical currents supporting historical matter in tragedy that he absorbed and by which he was considerably influenced. It has therefore become a common-place in Jonsonian criticism, so far as his tragedies are concerned, to attribute to Jonson the offices of poet and historian. The historian-dramatist executes each office with impressive dexterity, coupled with conscientious handling of his material. Numerous studies of the two tragedies have concerned themselves with them as historical pieces, with elements of praise, at times, stressing Jonson's distinction as historian. Among these is a fine statement by Ayres:

Jonson is not only a very fine classical scholar but a fine historian to boot, offering us a more convincing recreation of the Roman world than Shakespeare ... could ever have hoped to do. The truth, however, is that to the materials of history he has so carefully sifted and assembled Jonson brings not the subtly discriminating mind of an historian but that same critical, simplifying eye of the moralist that critics have detected in his handling₁₃ of the central "tragic" characters, particularly Tiberius and Sejanus.

Bryant, for another instance, sees *Sejanus* and *Catiline* as "a great poet's illumination of two important segments of Roman history."¹⁴ Jonson, the statement implies, combines the historian's private study with the poet's public stage, resulting in educating both readers and spectators. "With few and trifling exceptions," remark Jonson's famous editors, "the plot of *Sejanus* is built with severe conformity to the historical record" (H. & S., *Ben Jonson*, I, 15, 116). An often-quoted statement on this topic is best found in Jonas A. Barish's introduction to his edition of *Sejanus* - a statement equally true of *Catiline*: in writing his first Roman tragedy, observes the editor, "Jonson brought a scholar's command of historical materials, and a scholar's conscience in dealing with them ; "his play

constitutes in itself a piece of historiography. It offers something like an archaeological reconstruction of the epoch it deals with, and a fully worked out interpretation of its subject, arrived at through a consideration of all relevant evidence."¹⁵ Another critic observes in harmony with the others, that Jonson's Roman tragedies express "their concern for Roman history their careful and rational buttressing with historical fact."¹⁶

Although Jonson did not provide any edition of *Catiline* with references to the historical sources, as was the case with the quarto edition of *Sejanus*, the second Roman tragedy reveals an equally extraordinary adherence to historical records. Jonson's major source of the conspiracy is Sallust's *Bellum Catilinae*.¹⁷ Minor sources of the play also include Cicero's *Catiline Orations*; Dio Cassius' *Roman History*; the "Life of Cicero" in Plutarch's *Lives*; the accounts of Suetonius, and a few scattered passages from different authors.¹⁸

A thorough study of the play and the sources shows the very extended research Jonson must have done in collecting his data for the play and the great efforts he must have spent in transforming the historical information into a dramatic poem. Indeed, to Sallust's book Jonson owes the majority of the narrative of the Catilinarian conspiracy. The *Catilinae* however provided Jonson with the outline of the plot, the basic features and development of most of the characters, besides a good deal of speeches. Cicero's contribution to Jonson's work was through parts of the dialogue filled in certain gaps in the outline of the plot found in Sallust. The meeting of the senate in Act V, at which the conspirators are convicted, is the only part of the action Jonson draws from Cicero's third Catilinian. Other debts to Cicero are some major traits of the character of Cicero himself and that of Catiline. Jonson, however, has access to his Latin sources through his folio copy of Sallust. Moreover, one significant book among his authoritative collection of sources was *Historia Coniurationis Catilinae*, a compendium by Renaissance scholar Constantius Felicius Durantinus. This intermediary book provided Jonson with extracts from the ancients' accounts of the story and with a brief outline of the

events. The special significance of this book, however, is that it also provided Jonson with the sources of Durantinus' own additions to Sallust's account; besides giving his personal opinion about the correct source when bits of information concerning a certain event, from different sources were contradictory.

In the process of consulting the sources, Jonson seems to have followed Durantinus whenever the latter disagreed with Sallust. Durantinus, for instance, endorses Dio's and Plutarch's credence of the information regarding the killing of the slave (Act I), which Sallust discredits as a mere invention of Cicero's supporters. Of Cicero's alleged implication in the conspiracy of Catiline, Durantinus takes sides with Plutarch's view of Cicero's deep implication in the conspiracy and disregards the view adopted by either Cicero or Sallust that rejects the allegations of Caesar's involvement in the conspiracy.

One of Jonson's major debts to Durantinus' summary of the historical events in the senate scene in Act IV. In Durantinus' narrative the contention between the orator Cicero and Catiline on the one hand, and Cicero's first oration, on the other, are in fact two separate incidents with a period of time dividing them. Jonson, however, combines the two incidents in one scene and makes them take place on the same occasion to higher dramatic effect, as he did in Act III of *Sejanus*, where three important events take place consecutively in the senate scene.

The conspiracy of Catiline was, indeed, a popular story in the Renaissance and formed part of a tradition deeply established in the dramatic genre of the time. There is evidence that two tragedies on the Catilinarian theme, which have not survived, existed in Jonson's day and preceded his own play. The first of these is Stephen Gosson's *Catiline Conspiracies* (c. 1578), to which its author referred in his *The School of Abuse* (1579) as a "pig of mine owne sowe." Of the main theme of this play Gosson reveals that "the whole marke which I shot at in that work was to show he rewarde of traytors in *Catiline*, and the necessary government of learned men, in the person of Cicero, which foresees every danger that is likely to happen, and forstalls it continually ere it take effect" (See H. & S., *Ben Jonson*, X, 117).

The second tragedy on the same theme is a collaboration between Robert Wilson and Henry Chettle. The only extant evidence of the play is an entry in Henslowe's *Diary* in 1598 as "Cattelinnes consperesey" (*Ibid.*). Another contemporary play akin to Jonson's story is Thomas Lodge's *The Wounds of Civil War*, written around 1588. This play, however, focuses rather on Catiline's predecessor Sulla than on the later conspirator himself. There is no indication in Jonson's *Catiline* that any of these three plays was among the sources of his own play.

Though deemed as a play since its first performance in 1611, *Catiline His Conspiracy* seems to have been an example of tragedy good enough to imitate, or even more accurately, as the following example shows, to copy. Robert Baron made extensive borrowings from Jonson's play in his *Mirza* (c. 1647). The borrowings reveal apparent plagiarism by Baron from the first act of *Catiline* and a close imitation of its dialogue, with the stage direction included. In his study of Jonson's influence on Baron's play, W. D. Briggs cites a note by Gifford on the first speech of the title-character of the play, I, i, which reads:

Robert Baron, in his tragedy of *Mirza*, not content with borrowing the plan and description of Catiline, has taken almost the whole of this and the preceding speech to himself. If we are not more honest than our ancestors, we certainly are at more pains to conceal our thefts, for Baron's plagiarisms are open and undisguised.¹⁹

However, it has been suggested that turning to Roman history in search for tragic subjects in the first half of the Seventeenth century was considerably due to Jonson's influence in his two tragedies.²⁰

In such a conspiratorial and rebellious age like Jonson's, it is not unusual that Jonson, like many other dramatists of his day,²¹ turned to history for stories that reflected the main problems of the time. During the late years of the Elizabethan monarchy, recent history had abundant stories about despotism and absolute kings, rebellions and conspiracies. The historical plot of Catiline against the body politic of Rome represented the futility of rebellions against the state with reference to the severe punishment that awaited whoever conspired against his country. A seventeenth-century statement drew attention to the seriousness of such

conspiracies and to the doomed end of the conspirators: "Let every courtier that will be wise, flee the companie of such Catilines, and that speedily for experience it selfe doth truly tell us, that such seditious swash bucklers, doe very often, yea, most customarily, receive the wages and reward due to such deeds of impietie. And what's that? Marry a miserable lamentable, & tragical Catastrophe, or conclusion."²²

Jonson focuses his tragedy on an episode from the second century B. C. in the history of Rome. Historians of the time were concerned with diagnosing the republic's sickness. The cause of such sickness was attributed to the excessive wealth and luxury in which Rome was increasingly sinking. Rome's consecutive victories over her neighbouring countries in the first century B. C. and her unwise openness to outside influences, particularly Greece, were mainly responsible for her malady. Jonson adopts the role of an experienced historian in recording the first stages concerning the decline of the Roman republic into the snares of vices and ease, and finally falling into civil strife. While it was suffering from poverty, Rome had virtues about her, but now she "doth enjoy / So much in plentie, wealth and ease, / As, now th' excesse in her disease (I. 548-50; H. & S., *Ben Jonson*, V, 452). Such a state of corruption and disintegration engendered sickness in the body-politic of Rome in the shape of Catiline's plot against the social and political order in Rome.

Both Sallust's work and Jonson's play tell the story of Lucius Catiline, a blood-thirsty killer of a noble birth, who, having been refused consulship, plans with the aid of a band of evil sympathizers, to overthrow the republican government by profligate means and to seize full control of the senate. The action of Jonson's play concerns itself only with the second of a few attempts by Catiline in 63 B.C. to lead a coup against his own city. Despite Jonson's claim of observing the unities in this work, the dramatic action of *Catiline* covers a period of three days, representing a historical period of several months. The action takes place in Rome with two brief scenes set in the country near Fesulae.

Catiline, as the historical record of Sallust mentions (pp. 155-86), had corrupted and drawn to his side men of different social ranks, stripping them of their responsibility and binding them to commit wicked offences against the state and individuals alike. Some of Sulla's veterans, looking back on the days when they could shamelessly loot from the evil war-torn, joined Catiline, with high hopes of gaining wealth through a new civil war. Catiline had waited till the right moment to strike his blow. When circumstances in Rome proved favourable to him, as there were no troops in Rome (Pompey being at the head of an army fighting Mithridates, king of Pontus), Catiline called for a meeting with his followers to discuss the plan of a conspiracy against the government, promising his adherents tempting prizes in return for their aid and loyalty to him. His fellow-conspirators included the senators Publius Lentulus Sura, Publius and Servius Sulla, Lucius Vurgunteius, Quintus Curius; the list also had Marcus Fulvius Nobilior, Lucius Statilius, Publius Gabinius, Capito and Gains Cornelius. The conspiracy, remarks Sallust, was also joined by men of high rank who were motivated by hopes of pure political gains rather than by poverty who had a secret part in the movement. Marcus Licinius Crassus was strongly believed to have been aware of Catiline's plot and supported it as he saw in it a potential threat to his powerful long-hated rival Pompey.

One specific incident reported by Sallust, however, attracts special attention. It concerns rumours of the time about Catiline's habit of drinking, together with his supporters, from a mixture of wine and human blood before he unfolded the details of his plot. An oath was also taken to bind the conspirators together and to deter them from breaking their vows.

Jonson's play opens with a speech by the ghost of Sulla, the former dictator of Rome, urging Catiline to follow up his past crimes with further horror and to launch an immoral, reckless attack against the senate and the people of Rome. In the first act Catiline, having deceitfully professed to be aiming at helping the poor masses of Rome and thus accumulated a few supporters, is shown in a meeting with

them in which he promises to make Rome herself a reward for the conspirators once the conspiracy succeeds. According to Catiline's order, all the conspirators share a bowl of wine mixed with human blood as a vow to strengthen their allegiance towards Catiline and their determination to carry out their evil project. Yet the horror of the Catilinarians is forestalled only ironically. Fulvia, a woman of little virtue, manages to wring crucial information about the plot and a plan to assassinate the consul-elect Cicero, out of her garrulous lover Curius, one of Catiline's adherents. Ostensibly patriotic, but mainly driven by jealousy of another woman, the learned and older Sempronia, Fulvia discloses the plan of the conspiracy to Cicero, who eventually defuses the then impending danger and later addresses Catiline in the senate and calls upon him to leave Rome. In a successful diplomatic move, Cicero wins the warlike Allobroges over to his side, thus frustrating attempts by Catiline's adherents to turn the Allobroges against Rome, their nominal ally. Act V of the play shows the arrest and the execution of all conspirators remaining in Rome. The play closes with news arriving at last about the defeat of Catiline's private army at Fesulae.

Readers familiar with Sallust's work would easily be able to recognise Jonson's extraordinary dependence on it and the laborious efforts he made to transform the main story and the information about characters into a dramatic poem. However, not only did Sallust provide Jonson with a mere narrative of the conspiracy. A talented historian with dramatic inclinations, Sallust also made available to the dramatist a socio-political outlook regarding the corruption of a society, resultant from excessive wealth and self-indulgence. A specific passage in Sallust may have been of special significance to Jonson and must have influenced his choice of the theme of Catiline. The Roman historian gives an illuminating account of the causes of Rome's decline in a passage worth quoting in full, for it summarizes the moral objective of Jonson's play :

Thus by hard work and just dealing the power of the state increased. Mighty kings were vanquished, savage tribes and huge nations were brought to their knees; and when Carthage, Rome's rival in the quest for

empire, had been annihilated, every land and sea lay open to her. It was then that fortune turned unkind and confounded all her enterprizes. To the men that had so easily endured toil and peril, anxiety and adversity, the leisure and vices which are generally regarded as so desirable proved a burden and a curse. Growing love of money, and the lust for power which followed it, engendered every kind of evil. Avarice destroyed honours, integrity, and every other virtue, and instead taught men to be proud and cruel, to neglect religion, and to hold nothing too sacred to sell. Ambition tempted many to be false, to have one thought hidden in their hearts, another ready on their tongues, to become a man's friend or enemy because they thought it would pay them, and to put on the semblance of virtues that they had not. At first these vices grew slowly and sometimes met with punishment; later on, when the disease had spread like a plague, Rome changed: her government, once so just and admirable, became harsh and unendurable.²³

Sallust's view, with its seemingly Polybian tone of the cyclic effect of history, attributes the decline of man and society as a whole, not to the inevitable conclusion of a series of some natural order, but to the logical sequence of man's errors and to his failure to live morally and reasonably. Once man gives up reason and virtue and falls an easy prey to temptations of wealth and power, the whole society becomes apt to sickness. Catiline's conspiracy, as Sallust portrays it, is a consequence of Rome's unnatural ease and lethargy, Sallust mentions that Catiline was encouraged in his plot "by the corruption of a society plagued by two opposite but equally disastrous vices - love of luxury and love of money."²⁴ It is on this theme that Jonson makes the chorus eloquently and felicitously conclude the first act:

*Rome, now, is Mistris of the whole
World, sea, and land, to either pole;
And euen that fortune will destroy
The power that made it: she doth ioy
So much in plentie, wealth, and ease,
As, now, th' excesse is her disease.*

...

*Her women weare
The spoiles of nations, in an eare,
Chang'd for the treasure of a shell;
And, in their loose attires, doe swell
More light then sailes, when all windes play:
Yet, are the men more loose then they!*

...

*They eate on beds of silke, and gold;
At yuorie tables; or, wood sold
Dearer then it: and, leauing plate,
Doe drinke in stone of higher rate.*

...

Decrees are bought, and lawes are sold,

Honors, and offices for gold;

...

Such ruine of her manners *Rome*

Doth suffer now, as shee's become

(Without the gods it soone gaine-say)

Both her owne spoiler, and owne prey.

(ll. 545-50; 555-560; 565-68; 579-80; 583-86).

Sallust describes the conspiracy of Catiline as "a criminal enterprise ... especially memorable as being unprecedented in itself and fraught with unprecedented dangers to Rome."²⁵ It is not unusual to suggest that Jonson's reason behind choosing this theme is because of its "unpresedented dangers", added to that the dramatic touches that Sallust left on his narrative and by which he developed the historical personages he described.

Jonson's prologue epitomizes the savagery of Sulla's acts during the first Roman civil war. The Roman chronicles recall the ruthless massacres done by the men of Marius and Cinna against their oponents, the followers of the Roman military dictator Sulla, who was at the time outside Rome fighting Mithridates. Having reached a peace treaty with Mithridates, Sulla returned to Rome and defeated Marius' son, carrying out killings and confusion everywhere. According to Roman history, Marius had challenged Sulla's command of the army to fight Mithridates, given to him by the Senate. In later years, having restored the republic after the civil war, Sulla resigned his dictatorship and chose to live in peace away from political life.

Renaissance historians expressed ambivalent opinions about Sulla's career, but hardly any one was completely condemnatory of his actions. One statement recalls that "the residue of the senate, leaving the city of their own accord, fled to Sylla into Greece: and besought him that he would without further delaye succour his cuntrye."²⁶ One historian mentions that when Sulla returned to Rome he "appeased and sett in order the weal publique;" another records with indignation that Sulla's "medicine was worse than the malache it selfe."²⁷

Jonson, of course, does without the whole issue of the civil war and its political causes and consequences. Instead, he concerns himself with the moral

repugnance resultant from such a reckless strife. Jonson completely dispenses with any of the alleged Sullan virtues; his Sulla is the embodiment of vices and the fount of evil and death. He is "sent from the Stygian sound" "like a pestilence, that should display / Infection through the world." (II. ll. 11-14). Jonson, with the poet's privilege, feels at liberty to depart from a few historical particulars for dramatic effect. The historical pro-senatorial Sulla is dramatically deprived of any virtues credited to him by Sallust and Plutarch,²⁸ and is presented at the outset of the action as a master in crimes, urging his protege to destroy the senate invoking him to bring about death and horror. Indeed, Sulla belongs to the same category of evil of which Marlowe's Barabas in *The Jew of Malta* (c. 1588) is a prime example. Jonson's handling of the opening of the play is, technically, of manifold importance. Firstly, despite minor departures from historical facts, the opening speech pays tribute to the historic events prior to the conspiracy of Catiline, and it summarizes a gloomy episode in Roman history. The prologue, secondly, draws the play closer to classical tragedy in its use of a ghost. Moreover, Sulla's speech creates an "atmosphere" of evil and foreshadows the horror as the tragedy unfolds.

In Sallust's work Catiline's portrait is drawn with very lurid colours. The deep shadows and dark spots of his picture were too many and of no avail to compare with the few bright qualities of his personality. A man of noble birth, with great physical ability and distinguished intellect, Catiline was also an arch-criminal, callous and profligate, with a murky past of robbery, murder and political deviousness. Highly ambitious and exceedingly passionate, he also had a daring mind, a great ability of pretence and dissimulation, and an intense desire for despotic power.²⁹ Sallust reports Catiline's involvement in many scandalous intrigues in his early years. Among them are a shameless rape of a maiden of noble birth and another rape of a vestal nun. His criminal record also includes offences against law and morality. Even his marriage to Aurelia Orestilla was the outcome of an immoral love-affair and was also established on the ruins of his former marriage.

Cicero's portrait of Catiline bears the general features of the one drawn by Sallust. But the famous orator admits in his work that Catiline has a curious mixture of qualities, both good and bad. He describes Catiline as a wicked monster, yet ascribes to him considerable generosity, popularity among friends and loyalty to them, let alone soldierly bravery. Impressed with the good traits in Catiline's character, Cicero himself once intended to defend him against a criminal charge and even to support him in his candidature campaign in return to Catiline's support for Cicero in his own candidature. Cicero acknowledges that he had great expectations from Catiline and was thus surprised to learn of his involvement in the conspiracy.³⁰

In his portrayal of the titular character Jonson closely follows Sallust's account of the Roman traitor and pays much attention to the smallest details as recorded by Durantinus. All the crimes narrated by Durantinus, for instance, appear in the first act of the play (ll. 30-43) and even in the same order. Nevertheless, in the process of examining the historically enigmatic character of Catiline, a melange of attractive and repulsive traits, Jonson detracts from his leading character and potentially good features that might stir any sympathy towards him. There is no evidence that certain passages in Jonson's copy of Sallust, referring to Catiline's "virtues" were noticeably marked but, significantly, never appeared in Jonson's play.³¹ There is no mention in the text, for instance, of Catiline's intended reformation of the senate nor of his intentions of helping the poor people of Rome. Such policy of character-simplification, adopted by Jonson to a larger extent in the earlier tragedy in the portrayal of Tiberius, endorses the poet's role in straining out all uncertainties and inconsistencies which arise in the depiction of his historical characters. His Catiline, from the opening of the play, and as the action builds up, is a ruthless criminal, sunk in a past of crimes with a relentless determination to act any shameless offence.³² In the play, two motives make the driving power in Catiline's determination to overthrow the Roman senate. The first is the urgent need to shield himself against prosecution for his past crimes

including a former abortive conspiracy against the senate. The second motive is his indignation at the people's refusal to elect him consul when he "stood Candidate,/ To be commander in the Pontick warre" (I. 89-90). As the action develops, Catiline is shown as a clever manipulator of his fellow-conspirators. He amplifies their fears and harps on their misery and on their slavery to the "giants of the state" (I. 348). When juxtaposed with Cicero's wit, Catiline is indeed of little intelligence and much rashness. Unlike his mentor Caesar, who advises him to be calm and resolute in his plot (III. II. 491 ff.), he does not deny Cicero's accusations against him, though still unprovable at this stage. Accordingly, he foolishly allows Cicero enough time to win the senate's support and to raise an army that brings about his defeat and death.

The second character that enjoys no less light than that thrown on Catiline, in the works of both Sallust and Jonson alike, is that of Cicero. In Sallust's work, however, he occupies relatively a secondary position but his character is drawn with equal subtlety. The historian stresses his "craft" and "cunning" in avoiding the "traps" laid to him by Catiline.³³ Cicero is reported to have made many promises to Curius, through the agency of Fulvia, in order to induce him to betray Catiline's designs. Moreover, Cicero agreed to give his colleague Antonius the governorship of the province of Macedonia to win his loyalty.

In the play Jonson follows Sallust's anecdotes about Cicero closely and proceeds to dramatise them with prominent subtlety. He elaborates on them with authentic details drawn from the other sources. He accounts for Cicero's intelligence and his ability in political manoeuvres, as contrasted to Catiline's rashness and obtuseness, by emphasizing the famous incidents reported in Sallust's *Attributes of unselfishness and patriotism, as well as of political clairvoyance, are underlined in Jonson's dramatisation of the act of Cicero's conferring the province of Macedonia on his fellow-consul Antonius to make him "that which he is not borne,/ A friend unto the publique (III.1. 19). A realistic man, with a good deal of experience in the labyrinth of politics, he does not scruple to follow crooked paths*

in order to collect unimpeachable proof of Catiline's conspiracy against the Roman state. In this process, he adopts a "positive" Machiavellian policy in flattering Curius and Fulvia, though the former is a petty turncoat, the latter "a base / And common strumpet" (III. 450-51), in order to bring Catiline's plot into the open. One of the most impressive qualities in the character of Jonson's Cicero is, however, his great care not to stimulate potential danger as long as conclusive proof is missing. Although he shares Cato's conviction that Caesar is secretly involved in the conspiracy, he prefers to wait patiently and cautiously until enough proof to convict Caesar has been gathered. In the meantime, Cicero chooses to keep Caesar under surveillance.

It is with the character of Caesar that Jonson makes the main and obvious departure from the chronicles. However, the significance of Jonson's portrayal of this character lies in the fact that it hinges on the main social theme of the play. Moreover, Jonson's remarkable deviation from the recorded facts can be interpreted as a deliberate attempt by Jonson to convey his perception of politics in the play. The main line of interest in the portrayal of Caesar's character is, however, the controversial issue of his complicity in the famous conspiracy.

On the alleged accusation against Caesar by Quintus Catulus and Gaius Piso, Sallust shows no sign of credence of the two men's story and describes it as "false". In the *Catilinae* he records that both Catulus and Piso "tried in vain by entreaties, cajolery and bribes to persuade Cicero into putting the Allobroges, or some other informer to bear false witness against Caesar."³⁴ Both men, mentions Sallust, were bitter enemies of Caesar for personal reasons³⁵ and as they failed to influence Cicero, they later instigated some individuals against Caesar by circulating rumours and falsehoods. It is obvious from Sallust's accounts on this episode show this historian as a supporter of Caesar or at least an opposer to his alleged complicity with Catiline. Caesar's only direct participation in the affair, according to Sallust, was a long speech he gave in the senate regarding the punishment of the

conspirators.³⁶ At the end of his speech Caesar suggested that the conspirators faced confiscation of their properties and imprisonment rather death.

Sallust also reports Cato's ensuing speech in the senate in which he successfully convinced the senate to execute the conspirators. Although an obvious adherent of Caesar, Sallust also emphasizes Cato's virtues. Indeed, the historian rates both Caesar and Cato as having "striking worth"³⁷. In an impressive passage Sallust compares the two men's characters, ascribing to each of them equal virtues that deserve equally prominent praised. Caesar, remarks Sallust, was highly esteemed for his generosity, humanity, and mercy; Cato deservingly renowned for his uprightness, austerity and firmness.³⁸

Jonson's own Caesar is hardly a replica of Sallust's. The dramatist paints this character in more lurid colours than those found in the chronicle. Undoubtedly, Caesar in *Catiline His Conspiracy* elicits no sympathy or admiration as the historical personage does. Negative impressions against Jonson's Caesar start building up from his first appearance twenty-eight lines into the beginning of act three. As Cicero addresses the people in his first speech as Consul, Caesar, unheardby him, makes sarcastic remarks about the new consul, protesting at Cato's praise of Cicero (l. 58). He also stealthily speaks to the defeated Catiline and aranges to meet him at his house (l. 128). Not long afterwards at Catiline's house (ll. 490 ff.), Caesar is presented as a wily statesman, highly experienced in the arts of politics, giving his protege lessons in political deviation and Machiavellian opportunism.

In rebuilding the character of Caesar, Jonson, in departing from his main source Sallust, relies on anti-Caesarian rumours reported by Plutarch³⁹ and Dio. Other examples of Jonson's departure from authentic history are found in Caessar's asides to Crassus during Cicero's first oration against Catiline in Act Four, and in Cicero's interruption of Cicero in defence of Catiline. What is in Sallust's work an account of a sincere statesman giving the senate good advice on showing the conspirators clemency instead of severe punishment becomes in Jonson's play a

cunning supporter of Catiline, willing to offer him all sorts of aid and even to protect the weapons of the conspiracy until circumstances prove more convenient. Following the train of action one comes to the conclusion that Caesar, not Catiline, is virtually mainspring of the conspiracy. Nowhere else in the play does Jonson adopt the dual task of historian and dramatist more effectively than in the issue of Caesar's involvement in the conspiracy of Catiline and in his bestowal of extra dimensions on his character. Adopting the role of the historian, Jonson was bound to report truths as they were to achieve "truth of argument". But as far as his representation of Caesar's part in the conspiracy is concerned, Jonson's sources on this issue were contradictory. In fact, the poet's representation of this matter establishes in itself a historian's own interpretation and personal judgement on a controversial episode of history.

Yet Jonson's decision to extend the role of Caesar and to bind him to the conspiracy is not merely a matter of selectivity from contradictory historical opinions. The dramatist's very adaptation of this role is a significant move and adds much to the dramatic intensity of the play. Jonson's character therefore embodies a high level of wickedness and deviousness with an extraordinary ability of political exploitation. He nevertheless raises among readers mixed feelings of awe and repugnance in response to his astute command of manipulation and show of cynicism with their implication of exceptional villainy. His cynical remarks to Catulus regarding Cicero in Act three reflect a mind greatly immersed in the ingenious trickeries of politics:

Popular men,
They must create strange monsters, and then quell 'hem;
To make their artes seeme something. Would you haue
Such an HERCVLEAN actor in the scene,
And not his HYDRA?

(ll. 96-100)

His ruthlessness and opportunism are revealed in a striking speech in which he dictates Catiline lessons in villainy and political ascendancy:

You are not, now, to thinke what's best to doe,

As in beginning; but, what must be done,
 Being thus entred: and slip no aduantage
 That may secure you. Let 'hem call it mischiefe;
 When it is past, and prosper'd, 'twill be vertue.
 Th'are petty crimes are punish'd, great rewarded.
 Nor must you thinke of perill; since, attempts,
 Begunne with danger, still doe end with glory:
 And, when need spurres, dispaire will be call'd wisdom.
 Lesse ought the care of men, or fame to fright you;
 For they, that win, doe seldome receiue shame
 Of victorie: how ere it be atchiu'd;
 And vengeance, least.

(III. II. 501-13)

Such modification of Caesar's role by Jonson can be dramatically more effective on audiences already familiar with the historical particulars than on those unfamiliar with them. To the first sort of audiences Catiline's defeat does not bring much comfort or satisfaction, as in the background looms the more sinister figure of the Machiavellian Caesar, threatening the integrity of the Roman republic. This dramatic impact is, of course, achieved without undermining the main plot or greatly diverging from the genuine story.

Catiline His Conspiracy, nevertheless, goes in parallel lines with its sources, following the same sequence of events and emphasizing the major episodes of the narrative. The play is fundamentally concerned with the discovery of Catiline's plot against the senate by Cicero with the aid of Curius, Fulvia and Cato, and with the destruction of Catiline and his conspirators. Yet Caesar's complicity in the conspiracy, besides the fact that it changes the balance of struggling powers in the play,⁴⁰ gives this work a sense of continuity concomitant with potential danger and pessimism beyond the time-limit of the play, similar to the unsatisfying end of *Sejanus* with the ominous figures of Macro and Tiberius portending more savagery and destruction.

Another point on the issue of Caesar's role in the plot and whether it is or not related to the historical facts is of some importance. Jonson's own representation of Caesar in his two tragedies as a potentially dangerous anti-republican collides with his agreeable portrait of the man in other works. In *Sejanus*, Caesar is described by Arruntius as "evill" and as a "monster" (I. II. 91-

104), although shortly afterwards "Caesar's spirit" is referred to as one of the virtues that Germanicus is reported to have acquired (l. 151). Again, in this play, Brutus is highly praised for his part in assassinating Caesar who "sought unkindly to captive his countrie" (H. & S., IV, l. 105).

In contrast to Caesar's image in the Roman tragedies as a dangerous enemy of the people and the senate in Rome, a far more pleasant image, and much closer to the historical character, is drawn in Jonson's *Discoveries* and the *Epigrams*. In the first work, for instance, Julius Caesar is "a wise Patriot" and an able "statesman" who takes good care of the state (*Discoveries*, in. H. & S., VIII. ll. 924-31). In equally bright colours is Caesar's portrait drawn in two Epigrams, CX and CXI. In the first, To Clement Edmonds, on His *CAESARS COMMENTARIES obserued, and Translated* Jonson endorses Edmonds' praise of Caesar as a statesman who "wrote, with the same spirit that he fought" (L. 8). A man of great deeds and honours, he lived besieged with envy until he "fell by rage" (l.14). In the second of these Epigrams, entitled "To the Same, on the Same", Caesar is referred to as "this master of the warre" (l. 4) who set himself an example of valour in the ancient world.

Jonson's treatment of Caesar in the tragedies as a latent threat to the Roman republic is therefore an obvious and deliberate departure from recorded facts for the sake of dramatic needs. Undeniably, nevertheless, Caesar received contradictory attitudes from Elizabethan historians like Richard Reynolds, William Fulbecke and others.⁴¹ Yet Jonson's figure, more poetic than historical, is dramatically reconstructed to represent in *Catiline* a future tyrannical epoch in the history of Rome.

Despite Jonson's overt partisanship of history as a source of dramatic decomposition, and despite his repeated announcements of his extreme adherence to historical facts it is unlikely that he meant his audience to take the dramatization of Caesar's role in the consiracy as historically true. Most of the Elizabethan audiences were almost certainly familiar even with the particularities of Catiline's

conspiracy; Jonson's dramatisation of the role of Caesar was, as the play suggests, deliberately planned to have a shocking effect upon the audience - an effect which is the hallmark of Jonson's works.

An essential part of any study of Jonson's tragedies is a note on their alleged failure to generate tragic effects, a demerit, if not deliberately sought by the dramatist, resultant, among various reasons, from the lack of a tragic focus and a confusion about the real tragic figures of the plays. In the case of *Catiline*, the main tragic light is shared between the titular character and the orator Cicero. Nevertheless, neither of the two enjoys a good enough share of the action to attract constant attention, nor does either of them perform any highly tragic action. Catiline himself captivates close attention only during the first three acts and then wins only fleeting presence throughout the remaining two acts. Cicero, on the other hand, though he almost monopolizes both dramatic action and attraction in the last two acts, concerns himself with performing rhetoric rather than action that may accomplish Catharsis. It has become a commonplace in the criticism of Jonson's tragedies that they both are mainly concerned with the commonwealth as their tragic focus.⁴² Bryant, for instance, remarks that Jonson "was the first to make drama serve as a medium for presenting the tragedy of a whole state."⁴³

A basic understanding of Jonson's tragedies, then, requires looking at them as tragedies of state, a representation of the rise and fall of a whole body-politic infected with its people's indifference to standard values and their irresponsibility and prodigality. Jonson's main concern in his two tragedies is to dramatise the tragic disintegration of a state ostensibly healthy and powerful, but in reality sick at heart and strikingly weak and divided in allegiance. The characters in these plays therefore distance themselves from the Shakespearian category of characterization. What in Shakespeare's characters is a display of psychological complexities becomes in Jonson's tragic character an extraordinary fixedness and a refusal to develop as the action unfolds. In *Catiline* the original narrative of the conspiracy serves to direct attention towards a broader issue, that is, the potential threat to the

Roman republic and its institutions. The failure of the conspiracy, the execution of the conspirators and the ensuing death of Catiline all do not allay the intensity of fear and anger as the play draws to a close. However, the end of the dramatic action in *Catiline*, as in *Sejanus*, does not necessarily entail a solution to the main problem that the play poses. The end of each play is left open, and the danger left behind is even greater than the one just dealt with.

One major factor in the failure of Jonson's two tragedies on the stage is that they both persistently require a historical "context". They can only be duly reprehensible when put within the exact framework of Roman "atmosphere". The plays accordingly demand a thorough knowledge of the Roman epochs they both try to reconstruct. It is this special characteristic of "Romanness" in Jonson's tragedies that make them both decline to rally under the banner of Shakespearian Roman plays. They are so heavily dependent on historical facts that history becomes an indispensable key in understanding their moral messages. The audiences of Jonson's Roman tragedies are usually confronted with such an extensive and detailed precision of historical scholarship that they truly require "diligent preparation for the experience of *Sejanus* and *Catiline*."⁴⁴ In contrast, Shakespeare's Roman plays do not require a similar "diligent preparation" in their sources. Nor do they forcibly cling to specific segment of Roman history. Moreover, they all give complete studies of the characters they present. History in these plays contributes only to the plots but is not necessarily a crucial link in understanding them. Readers can fully appreciate *Julius Caesar* or *Coriolanus* without having to read Plutarch any more than they need to read Holinshed to understand *Macbeth*.

This is, of course, not true of either *Sejanus* or *Catiline*. Unless readers are familiar, to a considerable extent, with the works of Tacitus, Sallust, Dio Cassius, Plutarch, and others, failure to grasp the moral of the plays become almost inevitable. There is distinct unanimity among critics of Jonson's tragedies that an early awareness of his sources is of an illuminating nature to the plays. Una M.

Ellis-Fermor commented that readers already familiar with Jonson's accounts of Tacitus would find *Sejanus* an interesting play.⁴⁵ Similarly, Bryant convincingly points out that the reader "cannot begin to understand either *Catiline* or *Sejanus* unless he is willing to bring a knowledge of history with him to the play and look before and after what he finds there. For *Catiline*, this means he must have, in addition to a familiarity with the story of Sallust, a private knowledge of at least Plutarch's treatment of Caesar, and preferably some knowledge of Suctonius' and Dio's as well; that is, he needs to have clearly in mind the character of Caesar as these three portray it and be prepared to see in Caesar, as Sallust does not, the primary threat to the Roman Republic."⁴⁶

It is, to conclude, this ardously educational experience a reader of Jonson's tragedies has to undergo before being finally rewarded with the moral message of the play. We know for a fact that Jonson appealed to the educated sort of audience for a real appreciation of his tragedies; his bitter reproach to the "Reader in Ordinarie" implies a noble and unique attempt to educate unlettered audiences in order to appreciate genuine works of art. For Jonson "nothing is more dangerous then a foolish prayse" ("To the Reader in Ordinarie", *Catiline* in H. & S., V., 432).

NOTES

1. Jonson's earlier tragedies, which have not survived, include *The Page of Plymouth* (1599), a collaborative work with Thomas Dekker, *Robert the Second, King of Scots*, also called, *The Scot's Tragedy* (1599) written in collaboration with Henry Chettle, Dekker and others, probably Marston. *The Fall of Mortimer* (1592), of which only the plot and a fragment of the first scene appeared in the 1640 Folio and "Richard Crookback" (1602), are incomplete tragedies by Jonson. See C. H. Herford and Percy and Evelyn Simpson, *Ben Jonson*, 11 vols. (Oxford, 1925-1952), I, 20, 33-34. Unless otherwise indicated, all references to Jonson's works are to this edition, henceforth referred to as H. & S., *Ben Jonson*.
2. In the Prologue to *Volpone* (1606), Jonson declares that his aim "In all his poems still hath been .../ To mix profit with your [i.e., the audiences's] pleasure" (ll. 7-8).
3. "To ... Pembroke", *Catiline*, in H. & S., *Ben Jonson*, V, 431.
4. John Dryden, 'An Essay of Dramatick Poesie', in *The Works of John Dryden*, edited by Samuel Halt Monk *et al* (Berkeley, 1971), XVII, p. 21.
5. See 'Lectures on the Dramatic Literature of the Age of Eliabeth', in *The Complete Works of William Hazlitt*, edited by P. P. Howe, 6 vols. (London, 1930-34), VI, pp. 262-63.
6. L. C. Knights, 'Ben Jonson, Dramatist', in *The Age Of Shakespeare* (Hamondsworth, 1955), pp. 315, 314. The other plays Knights refers to are *Volpone* and *The Alchemist*.
7. T. S. Eliot, *Selected Essays 1917-1932* (New York, 1932), p.129; reprinted in J. A. Barish (ed.), *Ben Jonson: A Collection of Critical Essays* (Englewood Cliffs, 1963), p. 16.
8. *The Diary of Samuel Pepys*, ed. Robert Latham and William Mathews (London, 1970-83), vol. IX (1668-9), p. 395.
9. F. Smith Fussner, *Tudor History and the Historians* (New York, 1962), p. Xi; quoted by Robert P. Adams, 'Transformations in the Late Eliabethan Tragic Sense of Life: New Critical Approaches', *MLQ*, 35 (1974), 363.
10. 'Aristotle : On the Art of Poetry', *Classical Literary Criticism*, translated with an introduction by T. S. Dorsch, Penguin Classics (London, 1965, rept. 1984), p. 43.
11. *Ibid.*, pp. 43-44.
12. See Joseph Allen Bryant, Jr., 'The Significance of Ben Jonson's First Requirement for Tragedy: "Truth of Argument"', *SP*, XLIX (1952), 199, n. 3.
13. Philip. J. Ayres, 'The Nature of Jonson's Roman History', *ELR*, 16 (1986), 168.
14. J. A. Bryant, *op. cit.*, 213.
15. J. A. Barish (ed.), *Sejanus* (London, 1965), pp. 4-5.
16. Ralph Nash, 'Ben Jonson's Tragic Poems', *SP*, 55 (1958), 185.
17. For this study, I have used the following edition: Sallust, *The Jugurthine War/ The Conspiracy of Catiline*, translated with an introduction by S. A. Handford, Penguin Classics, (London, 1963, rept. 1987). All citations to Sallust's work are from this edition, henceforth referred to as Sallust, *The Conspiracy of Catiline*.
18. Jonson's other minor sources include Lucan's *Pharsalia*, works of Seneca, Ovid, Florus and Claudian. For a brief account of Jonson's minor borrowings from such writers, see William B. Briggs, 'Source-Material for Jonson's plays', *MLN*, 31 (1916), 195-202.
19. See W. D. Briggs, 'The influence of Jonson's Tragedy on the Seventeenth Century', *Anglia*, 35 (1912), 296.
20. See *ibid.*, 277-337. Briggs refers to a few critics including Koeppel and Schelling citing passages by dramatists influenced by Jonson's works, comedies and tragedies alike.
21. For example, Fulke Greville, John Marston, Shakespeare, and George Chapman.
22. A. D. B., *The Court of the Most Illustrious and Most Magnificent James the First* (London, 1619), p. 87; quoted by Michael J. C. Echernio, 'The Significance of Politics and Jonson's *Catiline*', in *SEL*, VI (1966), 341.
23. "Preface: Chapter One", in Sallust, *The Conspiracy of Catiline*, pp. 181-2.
24. *Ibid*, p.178.
25. *Ibid*, p. 177.
26. See Philip J. Ayres, *op. cit.*, 172.
27. *Ibid*.

28. Plutarch praises Sulla as having "inforced frugality by the Lawes." See H. & S., *Disc.*, in *Ben Jonson*, I, 1009.
29. Sallust, *The Conspiracy of Catiline*, *op. cit.*, p. 178.
30. See "Introduction" in Handford's translation of Sallust's work, *op. cit.*, pp. 162-63.
31. See Ellen M. T. Duffy, 'Ben Jonson's Debt to Renaissance Scholarship in "Sejanus" and "Catiline"', *MLR*, XLII (1947), 30.
32. An interesting study of the main differences between historical and poetic characters, with the privileges of the latter is still Sidney's *Apology for Poetry*, edited by Gregory Smith in *Elizabethan Critical Essay*, I (Oxford, 1904). Discussions of the simplification of the main characters in *Sejanus* and *Catiline* include K. M. Burton's 'The Political Tragedies of Chapman and Jonson', *EC*, 2 (1952), 403-4; K. W. Evans, 'Sejanus and the Ideal Prince Tradition', *SEL*, 11 (1971), 249; and A. R. Dutton's 'The Sources, Text, and Readers of *Sejanus*: Jonson's "Integrity in the Story"', *SP*, 75 (1978), 185-87.
33. Sallust, *op. cit.*, p. 194.
34. *Ibid.*, Chap. V, p. 213.
35. *Ibid.*
36. Sallust reports the whole speech, *ibid.*, pp. 216-221.
37. *Ibid.*, p. 226.
38. Comparisons of the two famous personalities appear at the end of chapter VI, *ibid.*
39. Of Caesar's alleged involvement in the conspiracy, Plutarch admits that it was an unproved rumour, *Caesar*. vii.
40. See Bryant, 'Catiline and the Nature of Jonson's Tragic Fable', *PMLA*, LXIX (1954), 153-54.
41. See Philip J. Ayres, 'The Nature of Jonson's Roman History', *ELR*, 16 (1986), 176.
42. Critics who share this view include R. Ornstein, 'Ben Jonson', in *The Moral Vision of Jacobean Tragedy* (Madison, Wisc., 1960), pp. 84-104; Jonas A. Barish (ed.), "Introduction," *Sejanus* (New Haven and London, 1965), p. 19; and K. M. Burton, *op. cit.*, 397, 404.
43. Joseph A. Bryant, 'Catiline and the Nature of Jonson's Tragic Fable', 157.
44. Bryant, 'The Significance of Ben Jonson's First Requirement for Tragedy ... ', 112.
45. Una M. Ellis-Fermor, *The Jacobean Drama: An Interpretation* (London, 1936), p. 110 n.
46. Bryant, 'Catiline and the Nature of Jonson's Tragic Fable', 154.

PART TWO

**THE RELEVANCE OF THE PAST: JONSON'S TWO ROMAN
TRAGEDIES AND EARLY JACOBEOAN POLITICS**

CHAPTER THREE

Jonson's *Sejanus*: Drama and Government Censorship in Early Seventeenth-Century England

Afer.
T'upbraid the age.
Arruntius. [Aside]

It fits not such licentious things should live
If th'age were good, they might.
(*Sej.*, III, 467-68)

An integral part of any consideration of the political significance of Jonson's *Sejanus* in 1603 is the issue of censorship. This government regulation in seventeenth-century England was the main hazard which Jonson and his contemporary dramatists had to grapple with. Drama was during this age the main medium of propaganda; successive monarchs and their governments were conscious of its potentiality and sought to control its dissemination. Hence all plays written for private or public performances had to be submitted in script to the Master of the Revels. This official of the royal household closely inspected and, when necessary, censored plays before they were allowed on stage. Dramatists whose plays allegedly contained "dangerous matter" on religion and politics or made references to contemporary persons of influence encountered risks of charges and imprisonment. In some cases they were forced into hiding to evade the animosity of the authorities. But the whole question of seventeenth-century censorship in England is encompassed with uncertainty. The reason is twofold. First, it is due to the scarcity of empirical evidence in plays purported to have been topical. Second, it is the ambiguity surrounding the social and political issues of the age under question, and the intended objective behind censorship itself.

The interest in studying the political aspects of *Sejanus* in relation to Renaissance censorship and the social and political dynamics of the age stems chiefly from an inquisitiveness to explore the issues which drama was determined to

reflect. It also derives from a curiosity to trace the tortuous paths which drama was coerced into following in order to reflect the major concerns of the time. This will, of necessity, lead to a consideration of the relation between drama as the main form of propaganda of the time and the royal policies in action. A primary aim of this chapter will be to examine the intricate question of topicality in Jonson's *Sejanus* in relation to the political structure of early Jacobean England.

Examples of censored plays in early seventeenth-century England and of the involvement of dramatists with the authorities over allegedly offensive plays have survived to the present day. The supposedly "dangerous matter" was not usually allowed to survive. Hence arises the main impediment of establishing a clear-cut conviction of the relation between government and the theatre during this period. The divergence of consequent critical opinions relating to the issue of censorship and Elizabethan and Jacobean politics in general is conspicuous. One radical statement is voiced, for instance, by Jonathan Dollimore: "That the theatres in early seventeenth-century England were a potentially subversive context is evidenced by the fact of censorship."¹ Dollimore goes on to point out that "the dramatists were actually imprisoned and otherwise harassed by the State for staging plays thought to be seditious."² Although Dollimore's statement is founded on extant evidence in the Renaissance, it is nevertheless hard to determine the gravity of charges against allegedly "seditious" dramatists. In sharp contrast to Dollimore's view is Philip Finkelpearl's comment that "the fact remains that during King James's reign as in Elizabeth's not one prominent poet or playwright was punished for libel."³

Relying on extant government regulations of drama and on sparse references by a few authors during this age, we are led to believe that such charges were relatively not serious and that punishments were not severe. There is also the possibility that some charges against "insolent" dramatists were either motivated by personal prejudices or based on mere suspicion of topical hints in specific plays. In addition, imperilled dramatists often sought and consequently secured help from their court patrons and influential friends (who almost certainly shared their political

views or even encouraged them to publicize them in their plays). In the majority of cases, however, dramatists were persistent in denying the accusations of topicality in their works; proving that offences and sedition were intended in plays heavily drawn on historical material, for example, was an uneasy job for the authorities. The dramatists' denials, however, are one thing; the fact of the matter is another. Thus, the process of identifying the "offensive matter" in a given work is an arduous task, and proof of topical meaning in such a work must therefore be gleaned from textual evidence.

That the authorities insisted on politicizing the theatre in early seventeenth-century England is supported by extensive recorded evidence. Shakespeare, who perhaps suffered less vexation from the authorities than other dramatists, was ordered to change the name of a character in *I Henry IV*, Sir John Old-Castle, after the first production of the play about 1597. The order came upon complaints from the influential Oldcastle family against the dramatist's use of their name. Consequently, Shakespeare changed the name and created Falstaff.⁴ In the same year, 1597, *The Isle of Dogs*, a "leud play", now lost, was banned apparently because of containing "very seditious and slanderous matter" (H. & S., *Ben Jonson*, I, 217-18). Jonson was imprisoned for his part as actor and co-author of this comedy, and Thomas Nashe, his collaborator, was forced to escape from London to avoid arrest. Moreover, the Privy Council ordered the closure of the theatres in London but three of them re-opened later in the year.⁵ In 1605 Samuel Daniel was questioned by the Council for his *Tragedy of Philotas*. Telling the story of the execution of Philotas, the son of Alexander's great general Parmenion, this play was suspected of reflecting back on the trial and execution of the Earl of Essex in 1601.

Sometimes, a certain performance caused an offensive interpretation not intended by the author in the original text but its subject paralleled recent events or current political affairs. The Lord Chamberlain's Men, Shakespeare's company, were questioned in 1601 over a performance of *Richard II*, requested by Essex's

supporters on the eve of their rebellion. Whether the actors suffered any punishment there is no indication, and the same company played at court two weeks later on the eve of Essex's execution.⁶ In the first published version of *Richard II* in 1597 the deposition scene had been left out and it appeared in a printed text only five years after the death of Queen Elizabeth, who was sensitive to the analogy between her and Richard II.⁷ On a similar theme of analogies between the Queen and historical personages, the dramatist Sir Fulke Greville revealed that he had destroyed his own version of a play about Antony and Cleopatra, written during Elizabeth's reign, for fear that the theme might invoke parallel between Elizabeth and Essex on one hand and the titular dramatic characters, on the other. This inevitably poses the question of whether Shakespeare's own *Antony and Cleopatra*, a sequel to *Julius Caesar* (performed in 1599), was written or performed in 1607, almost five years after the death of Elizabeth deliberately to avoid possible protests and accusation by the Queen.

Another leading dramatist of the age, George Chapman, who is believed to have been the "second pen" in writing the original version of *Sejanus*, had his own share of trouble with the state over his plays. In 1608 he had to leave London to escape arrest over his two-part play, *The Conspiracy and Tragedy of Charles, Duke of Byron*, in which he incorporated recent events in France and introduced the Queen of France into the action. Following complaints from the contemporary French Ambassador, three actors of the company were imprisoned, and later performances were suppressed. Similarities were also obvious between the conspiracy of Byron against Henry IV in 1602, which Chapman's play tackled, and the conspiracy of Essex against Queen Elizabeth a year earlier.⁸ Chapman himself managed to escape, but his play underwent extensive cuts: scenes from *The Tragedy* were cut out and most of Act Four in *The Conspiracy* was excised. In 1593 Thomas Kyd was arrested on charges of sedition and heresy and for his association with Christopher Marlowe. He was probably tortured, for he died at the age of thirty-six soon after his release.⁹

Plays which derived their material from foreign history which reflected in a way on English politics were also forbidden and underwent close examination before being allowed on stage. The performance of *Sir John Van Olden Barnavelte*, a collaborative work by Massinger and Fletcher, was prohibited in 1619 by the Bishop of London because it tackled contemporary events in the Netherlands. This play told the story of a Dutch national hero's revolt against Spanish oppression, only three months after his execution. When the play was later licenced by the Master of the Revels, passages which bore "the voice of protest against despotism and eulogy of political liberty rang out too unmistakably" had vanished.¹⁰ John Marston was once forced to flee London in 1606 and hide for almost two years for his part in *Eastward Ho* (1605), a collaboration with Chapman and Jonson. The play satirised the Scots and included offensive caricature of King James himself. As a result, Jonson "was delated by Sir James Murray to the King, ... and voluntarily imprisoned himself with "the two collaborators who had been imprisoned for the same offence. There is no evidence, however, whether the three dramatists stood trial in connection with this play, but there was a rumour that they "should then had their ears cutt & noses"(See H. & S., *Ben Jonson*, I, 38).

Of all English dramatists of the early seventeenth century, Ben Jonson seems to have borne the brunt of the authorities's attacks over controversial plays. His record of involvements with the State officials in this respect is a long and interesting one. His imprisonment in 1597 for his share in the lost play, *The Isle of Dogs* was followed in 1598 by his arrest for murdering a fellow-actor, Gabriel Spencer. In the prison, he was set upon by "two damn'd Villans to catch advantage of him", as he told Drummond later. (*Conversations*, ll. 258-59, in H. & S., *Ben Jonson*, I, 139). In 1605 he found himself briefly in prison, together with Marston and Chapman, for his part in *Eastward Ho!* as mentioned earlier. In 1601 Jonson had written *Poetaster* which satirized his contemporary writers Marston and Dekker under the disguises of Crispinus and Demetrius respectively. As the two enraged dramatists wrote their *Satiromastix* in 1601 as a rejoinder to *Poetaster*, Jonson was

forbidden to write a reply to the two dramatist's counter-attack. In 1609/10 Jonson was questioned over his comedy *Epicoene*, which contained a reference to the Prince of Moldavia and Lady Arbella Stuart (V. i.). Two of his later plays, *The Devil Is an Ass* (1616) and *A Tale of a Tub* (1633), excited criticism among courtiers who took the two plays as caricaturing them in public.¹¹ The latter of the two plays was, however, licenced, and passages ridiculing his collaborator and the stage designer of his masques Inigo Jones were to be excised. On one occasion, Jonson was summoned before the ecclesiastical Court of High Commission and charged with profanity over his *Magnetic Lady*. It was proved later, however, that some actors of the King's Men had inserted lines during the performance of the play in 1632. Consequently Jonson and the censor of the text were acquitted of the charges by the Archbishop of Canterbury.¹² Towards the end of his life, Jonson himself aspired to be the censor; King James promised him the double reversion of the Master of the Revels, which meant that he was third on the list.

As a result of such extent of censorship and harrassment by the authorities of the time, it was not surprising that dramatists sought tortuous ways in composing dramatic mirrors of their age. Aware of the potential danger behind writing "bold" dramas that touched on religious or political issues, they turned to history as a safe shield from behind which they launched their own criticism of the immediate concerns without incurring on themselves the animosity of the government. Although the dramatists always maintained the disinterestedness of their historical plays, the authorities thought otherwise. To criticize the past meant to reflect on present affairs when history bore similarities with the *status quo* of a contemporary state.

The consequent ban on historical writings was thus justified by claiming that some historical anecdotes had potential sedition when reconstructed for the present. Probably the most notable example is the ban imposed on Sir John Hayward's *The First Part of the Life and Reigne of Henry III*, published in 1599. Hayward was imprisoned for writing this work, and the bishop of London ordered the burning of

a second edition of the work when it appeared a year later. One can reasonably suggest that Jonson had this historical detail in his mind when he set out to write *Sejanus* and meant to refer to it in Act III ll. 368-369 in relation to Cordus's annals when Latiaris says "Let 'em be burnt" and Gallus replies: "All sought and burnt today", despite the fact that this historical episode was in Tacitus' *Annals* 4,35 : " ... The senate ordered his books to be burnt by the aediles. But they survived, first hidden and later republished ..." ¹³ The similarity between the historical fact in Tacitus' *Annals* and the actual circumstances over *Sejanus* as it was censored but later published is impressive.

The reasons for the ban of Hayward's work reflect clearly the authorities' serious concern over attempts to criticize the state. Sir Edward Coke, one of the judges in Hayward's trial, recorded in his notes why he had to ban the work. Among his reasons were the following :

- 1 he selecteth a storie 200 yere olde, and publisheth it this last yere; intendinge the application of it to this tyme
- 2 maketh choice of that story only, a king is taxed for misgovernment, his councell for corrupt and covetous for their priuate, the king censured for conferring benefits on hateful parasites and favourites, the nobles discontented, the commons groning vnder continuall taxation, herevpon the king is deposed. (Quoted in H. & S., Ben Jonson, IX, 589)

In this work, Hayward had included the deposition of Richard II -a matter which must have invoked Queen Elizabeth's fury. What might have enraged the authorities more was probably Hayward's flattering dedication of his work to the Earl of Essex at a time when the latter's star in Elizabeth's court was waning. Subsequently, Hayward was committed to the Tower and was only released after Essex's execution in 1601. ¹⁴ Bacon is known to have defended Hayward's work against the accusation of treason. He nevertheless pointed out that the work's extensive borrowings from Tacitus, a classical historian renowned for his opposition to tyranny and the imperial system and for his outspoken criticism of the court of imperial Rome, made it objectionable to the authorities. (The same kind of argument, one may safely surmise, was used by the Jacobean authorities over

Jonson's *Sejanus*). An interesting statement by Hayward is worth quoting here. In 1613, asked by Prince Henry about the reasons behind the low quality of the Histories of England, Hayward gave a significant reason: "men might safely write of others in maner of a tale, but in maner of a History, safely they could not: because, albeit they should write of men long since dead, and whose posteritie is cleane worne out; yet some aliue, finding themselues foule in those vices, which they see obserued, reproued, condemned in others; their guiltinesse maketh them apt to conceiue, that whatsoeuer the words are, the finger pointeth onely at them."¹⁵

Hayward also revealed to the young Prince of Wales that "for historie, I did principally bend, and binde my selfe to the times wherein I should liue; in which my owne obseruations might somewhat direct me."¹⁶ If writing about former history proved dangerous to Hayward, writing about the complex history of his own time would have caused similar trouble. Such danger potential in writings about contemporary history of England in the first decade of the seventeenth century was realised and aptly put by Sir Walter Raleigh. In his preface to *The Historie of the World*, (1614), he gave the reason for his decision not to write about his own time :

I know that it will bee said by many, that I might have beene more pleasing to the Reader, if I had written the story of mine owne times; having been permitted to draw water as neare the Well-head as another. To this I answer, that who-so-ever in writing a moderne Historie, shall follow truth too neare the heeles, it may hapily strike out his teeth. There is no Mistresse or Guide, that hath led her followers and servants into greater miseries ... It is enough for me (being in that I am) to write of the eldest times: wherein also may it not be said, that in speaking of the past, I point at the present, and taxe the vices of those that are yet lyving, in their persons that are long since dead; and have it laid to my charge? But this I cannot helpe, though innocent. And certainly if there be any, that finding themselves spotted like the tigers of old time, shall find fault with me for painting them ouer anew; they shall therein accuse themselues justly, and me falsely."¹⁷

Parts of the action in *Sejanus* indeed offer a dramatic analogy to accusations made by the authorities against the dramatist himself. Sejanus, talking to his Emperor about Cordus, describes the Roman historian as

a writing fellow, they haue got
To gather notes of the precedent times,

And make them into Annal's; a most tart
 And bitter spirit (I hear) who, vnder colour
 Of praysing those, doth taxe the present state,
 Censures the men, the actions, leaves no tricke,
 No practice vn-examin'd, paralels
 The times, the gouernments, a profest champion,
 For the old libertie.

(II. 304-312)

In the *Discoveries* Jonson revealed: " I haue beene accus'd to the Lords, to the King, and by great ones" (H. & S., *Ben Jonson*, VIII, 604). To the dramatist, the unjust accusations initiated merely from a wicked process of misinterpreting his work:

Nay, they would offer to urge mine owne Writings against me; but my pieces, (which was an excellent way of malice) as if any mans Context, might not seeme dangerous, and offensive, if that which was knit, to what went before, were defrauded of his beginning; or that things, by themselves utter'd might not seeme subiect to Calumnie, which read entire would appeare most free.

(*Disc.*, 1351-58; H. & S., *Ben Jonson*, VIII, 604-5)

In *Sejanus*, Jonson re-iterated the same protest into dramatic action when he made Sabinus vehemently complain:

... when our writings are,
 By any enuious instruments (that dare
 Apply them to the guiltie) made to speake
 What they will haue, to fit their tyrannous wreake?
 (IV. 132-35)

It is noteworthy that this passage does not have a warrant in Tacitus' *Annals*; it is wholly Jonson's invention. More interestingly, these lines are not uttered by Cordus, the historian, in defence of his annals, but by Sabinus, who probably becomes the dramatist's mouthpiece in condemning the practice of misinterpretation in his time.

In verse and prose, Jonson seized every possible opportunity to defend his work against the taint of topical meaning. But how much credence is one allowed to grant a dramatist who was well aware of the danger that lay behind writing material which displeased State officials? If dramatic art undertakes to reflect the spirit of the age, it is the task of criticism to decide the affinity between such art and the major concerns of the society. Textual evidence in Jonson's work in general and in *Sejanus* in particular shows that denying charges of topicality does

not necessarily establish the dramatist's innocence. Again, the indictment of the historian Cremutius Cordus in Act III of *Sejanus* is illuminating. Cordus's long speech (a whole oration Jonson translated from Tacitus, as he later told Drummond) disclaims the relevance of historical work to contemporary events. Despite its well-worded rhetoric, Cordus's speech paradoxically proves what it attempts to deny : the relevance of past history to present issues. No doubt Jonson was charged by Northampton before the Council as "A sower of sedition in the state", a charge given by Satrius against Cordus:

I doe accuse thee here, Cremutius Cordus,
To be a man factious, and dangerous,
A sower of sedition in the state,
A turbulent, and discontented spirit,
Which I will proue from thine owne writings, here,
The Annal's thou hast publish'd; where thou bit'st
The present age, and with a vipers tooth,
Being a member of it, dar'st that ill
Which neuer yet degenerous bastard did
Vpon his parent.

(III, 379-88)

Logically, Cordus assiduously denies the charge:

But, in my worke,
What could be aim'd more free, or farder off
From the times scandale, then to write of those,
Whom death from grace, or hatred had exempted?

(III, 445-48)

Paradoxically, Cordus's lines in defence of the impartiality of history in relation to the present constitutes in itself a conviction that history can only be meaningful through its relevance to the present. As if to undermine the credibility of Cordus's defence, Jonson's historian earlier employs the device of analogy in "comparing men and times"; speaking of the late Germanicus, Cordus declares:

I thought once,
Considering their formes, age, manner and deaths,
The neernesse of the places, where they fell,
T'haue paralell'd him with great Alexander:
For both were of best feature, of high race,
Yeer'd but to thirtie, and, in forraine lands,
By their owne people, alike made away.

(I. 136-42)

It is easier for the reader of *Sejanus* to believe in the disinterestedness of Cordus's historical accounts or of Tacitus' *Annals* than in the disclaimer of Jonson's Cordus. "The weakness in Cordus's defence" in Jonson's play, as Barish has aptly put it, "lies in its element of disingenuousness, in Jonson's reluctance to admit that historical writing does, sometimes, allude to current events and is deigned to illuminate them. We have, then, the odd spectacle of a manifesto of the disinterestedness of historical writing that is itself anything but disinterested."¹⁸

It is interesting to note how Jonson makes recurrent protestations against the device of misinterpretation in his Roman tragedy. Silius, accused by the orator Afer, who cynically promises him justice, retorts:

No, my well-spoken man, I would no more;
Nor lesse, might I enioy it naturall,
Not taught to speake vnto your present ends,
Free from thine, his, and all your vnkind handling,
Furious enforcing, most vniust presuming,
Malicious, and manifold applying,
Foule wresting, and impossible construction.
(III. 223-29)

Yet Jonson himself, in a different work, refers to the indirect use of language to which he occasionally resorts, and he gives his reason:

Neither must we draw our allegory too long, lest either we make ourselves obscure, or fall into affectation, which is childish. But why do men depart at all from the right and natural ways of speaking? Sometimes for necessity, when we are driven, or think it fitter, to speak that in obscure words, or in circumstance, which uttered plainly would offend the hearers; ...or sometimes for pleasure, and variety, ... And all this is called ... figured language.

(*Disc.*, Section CXX)

Textual evidence in the poetic works indicate that Jonson's interest in the classics was reinforced by his intent to transform historical details to reflect the major concerns of his age. This intent is probably most clearly expressed in the following lines from his *Poetaster*:

Rome? Rome? O my vext soule,
How might I force this to the present state?
("Prologue", ll. 33-4; in H. & S., *Ben Jonson*, IV, 204)

It is almost certain that "the present state" was high on Jonson's mind when he was composing *Poetaster*. This play had its first performance in 1601, probably in the

spring. It was entered on the Stationers' Register on 21 December of the same year (See H. & S., IV, 184).

No doubt, while *Poetaster* was taking shape early in the year, the Earl of Essex was tried and executed on 25 February. The fall of Essex was soon followed by the rise of another court favourite, Sir Walter Raleigh. The dramatic events and rapid changes of power in the political arena of late Elizabethan England must have attracted the dramatist's attention and become his main interest at the time. The fall of illustrious men was, of course, the major subject for the Renaissance, as for the Middle Ages, and this must have been one reason why Jonson turned to tragedy during the two years following *Poetaster*. In the "Apologetical Dialogue" "To the Reader", concluding this play, the poet wrote: "... since the *Comick* Mvse /Hath prou'd so ominous to me, I will trie /If Tragedie haue a more kind aspect"(322-24). He also implied that he had long ruminated on the subject of his next tragedy, *Sejanus* :

I, that spend halfe my nights, and all my dayes,
Here in a cell, to get a darke, pale face,
To come forth worth the iuy, or the bayes,
And in their age can hope no other grace ---
Leaue me. There's something come into my thought,
That must, and shall be sung, high, and aloofe,
Safe from the wolues black iaw, and the dull asses hoofe.
("To the Reader", ll. 333-39; H. & S., IV, 324)

That the choice of historical material for dramatic composition depended largely on its relevance and similarity to current issues is a commonplace during this time. Thomas Heywood argued for this principle in *An Apology for Actors* (written c. 1608, printed 1612) when he revealed that

... Plays are writ with this ayme, and carryed with this methode, to teach the subiects obedience to their King, to show the people the untimely ends of such as have moved tumults, commotious, and insurrections, to present them with the flourishing estate of such as live in obedience, exhorting them to allegiance, dehorting them from all trayterous and felonious stratagems. ... If wee [dramatists] present a forreigne History, the subiect is so intended, that in the lives of *Romans*, *Grecians*, or others, either the vertues of our Country-men are extolled, or their vices reprov'd ...¹⁹

Like Jonson, however, Heywood denied that his selection of historical stories was to reflect on contemporary persons:

Now to speake of some abuse lately crept into the quality, as an inveighing against the State, the Court, the Law, the Citty, and their governments, with the particularizing of private mens humours (yet alive) Noble-men, & others. I know it distates many; neither do I any way approve if, nor dare I by any meanes excuse it. The liberty which some arrogate to themselves, committing their bitterness, and liberall invectives against all estates, to the mouthes of children, supposing their iuniority to be a priviledge for any rayling, be it never so violent, I could advise all such, to curbe and limit this presumed liberty within the bands of discretion and government. But wise and iudicial Censurers, before whom such complaints shall at any time hereafter come, will not (I hope) impute these abuses to any transgression in us, who have ever been carefull and provident to shun the like. I surcease to prosecute this any further, lest my good meaning be (by some) misconstrued ...²⁰

There is clear evidence that the early years of James's reign witnessed a wave of plays on stage expressing anti-James sentiments and dissatisfaction with the foreign monarch. Beaumont, the French Ambassador in London, wrote a despatch to his superiors, dated June 1604: "Consider, for pity's sake, what must be the state and condition of a prince, whom the preachers publicly from the pulpit assail, whom the comedians bring upon the stage, whose wife attends these representations to enjoy the laugh against her husband, whom the parliament braves and despises, and who is universally hated by the whole people."²¹ In December of the same year the King's Men represented the King on stage when they performed the tragedy of *Gowry*, a lost play, which is supposed to have portrayed the story of a conspiracy by the Earl of Gowry against King James in 1600.²² On 18 December 1604 Chamberlain wrote a letter to Winwood regarding the performance of the play, asking whether "it be thought unfit that Princes should be played on Stage in their Life-time;" and reporting that "some great Councillors are much displeased with it, and so it is thought shall be forbidden."²³ Again, on 28 March 1605 Calvert wrote to Winwood that the plays did not "forbear to present upon the stage the whole course of the present Time, not sparing either King, State, or Religion, in so great Absurdity, and with such Liberty, that any would be afraid to hear them."²⁴ On 5 April 1608, M. de Beaumont, the French Ambassador reported his complaints at the performance of Chapman's *Byron's Conspiracy* while the whole Court was outside London. In the same despatch, he reported how some players

were satirizing King James offensively on stage. " ... they had brought forward their own King, and all his favourites, in a very strange fashion. They made him curse and swear because he had been robbed of a bird, and beat a gentleman because he had called off the hounds from the scent. They represent him as a drunk at least once a day &c. He has upon this made order that no play shall be henceforth acted in London; for the repeal in which order, they have already offered 100,000 livres. Perhaps the permission will be again granted, but upon condition that they represent no recent history, nor speak of the present time."²⁵

With the spreading practice of representing well-known personalities on the stage and with increasing complaints from such figures and threats from royal authorities, dramatists made frequent prefatory notes that their works are not topical. Jonson, a dramatist with a long past of trouble over his plays, made recurrent remarks to disclaim the topicality of his work. In the second prologue to *Epicoene* 1609-10 he entreats his audience to see his play only as a fiction:

On forfeit of yourselves, think nothing true;
Lest so you make the maker judge you.
For he knows poet never credit gained
By writing truths, but things like truths, well feigned.
(*"Prologue 2"*, S.W., ll. 9-12)

In Jonson's introduction to *Volpone* (acted 1605, printed 1607) there is a strenuous denial that the playwright has attacked anyone in his writings, "except ... a mimick, cheater, bawd, or buffon, creatures (for their insolencies) worthy to be taxed" adding:

I Know, that nothing can bee so innocently writ, or carryed, but may be made obnoxious to construction; mary, whil'st I bear mine innocence about mee, I feare it not. Application, is now, growne a trade with many; and there are [those], that protesse to haue a key for the decyphering of euery thing : but let wise and noble persons take heed how they be too credulous, or give leaue to these inuading interpreters, to bee ouer-familiar with their farmes, who cunningly, and often, vtter their owne virulent malice, under other mens simplest meanings.

(*Volpone*, in H. & S., *Ben Jonson*, V, 18-19)

Again, in the Prologue to his *Poetaster* (1601), Jonson had vehemently attacked those who twist the author's language and misinterpret his words:

If any muse why I salute the stage,

An armed *Prologue*; know, 'tis a dangerous age:
 Wherein, who writes, had need present his *Scenes*
 Fortie-fold prooffe against the coniuring meanes
 Of base detractors, and illiterate apes,
 That fill vp roomes in faire and formall shapes.
 'Gainst these, haue we put on this forc't defence:
 Whereof the *allegorie* and hid sence
 Is, that a well erected confidence
 Can fright their pride, and laugh their folly hence.

("Prologue", ll. 5-14; H. & S., IV, 205-6)

Elsewhere in this comedy, Jonson announces that the danger of applications in any play lies not in their satiric nature but in misinterpretation:

'Tis not the wholesome sharp moralitie
 Or modest anger of a *satyricke* spirit,
 That hurts, or wounds the bodie of a state;
 But the sinister application
 Of the malicious, ignorant, and base
 Interpreter: who will distort, and straine
 The generall scope and purpose of an authour,
 To his particular, and priuate spleene.

(*Poet.* . . , V. iii. 137-44; H. & S., IV, 301)

Despite Jonson's strenuous denial of topical allusions to contemporary personages in this play, it has long been established in dramatic criticism that *Poetaster* was a veil under which Jonson satirized personal enemies. Employing the Roman court of the Emperor Augustus, he used the characters of Crispinus and Demetrius to satirize his fellow dramatists Marston and Dekker respectively who tried to defame Horace, a representation of Jonson himself. (Other intended victims of Jonson in the *Poetaster* include Munday, King James, Essex, Arbella Stuart, Sir Christopher Hatton, "the Duke of Drownland", an unnamed Lord, Mistress Cecilia Boulstred, Inigo Jones, John Owen and Henry Parrot. The play include malicious remarks about Day, Middleton, Markham, Drayton and many others).²⁶

In the "induction" to *Bartholomew Fair* (1614) Jonson announces that the play "is made to delight all, and to offend none, provided they have either the wit or the honesty to think well of themselves":

It is further agreed that every person here, have his or their free-will of censure, to like or dislike at their own charge, the author having now departed with his right. It shall be lawful for any man to judge his six pen 'orth, his twelve pen 'orth, so to his eighteen pence, two shillings, half a crown, to the value of his place : provided always his place get not above his wit ...

In consideration of which, it is finally agreed, by the above said hearers and spectators, that they neither in themselves conceal, nor suffer by them to be concealed, any state decipherer, or politic picklock of the scene so solemnly ridiculous, as to search out who was meant by the ginger bread woman, who by the hobby-horse-man, who by the costard-monger, nay, who by their wares.²⁷

Apparently, many of Jonson's intended victims had "either the wit or the honesty to think well of themselves"; hence, they foiled the dramatist's attempt to identify them with certain characters of his works (despite the fact that he denies the intention in the first place). Dissimulation here plays a significant role. If the intended victim could ignore the allusion in the play, the satire is thus vitiated. Conversely, if the supposed victim protested against the dramatist's parallel, he/she would admit the similarity and therefore publicise it. Jonson himself, apparently, had this policy of dissimulation on his mind, and approved it; in his *Discoveries*, CXXVII, he wrote:

If I see anything that toucheth me, shall I come forth a betrayer of myself presently? No, if I be wise, I'll dissemble it; if honest, I'll avoid it, lest I publish that on my own forehead which I saw there noted without a title. A man that is on the mending hand will either ingenuously confess or wisely dissemble the disease. And the wise and virtuous will never think anything belongs to themselves that is written, but rejoice that the good are warned not to be such; and the ill to leave to be such. The person offended hath no reason to be offended with the writer, but with himself; and so to declare that properly to belong to him which was so spoken of all men, as it could be no man's several, but his that would wilfully and desperately claim it (H. & S., XI, 281).

This policy of dissimulation or the failure to dissemble brings to mind Hamlet's employment of the "mouse-trap" to prove the guilt of his uncle Claudius. The privilege of such device is two fold. First, it provides the employer with a safe vehicle against the revenge of his victims. Second, it achieves his main objective in proving his opponent's guilt. Interestingly, Jonson himself incorporated this craft of dissimulation into the action of *Sejanus*. Tiberius artfully remarks in Act V: "neither do these common rumours of many, and unfamous libels published against our retirement, at all afflict us, being born more out of men's ignorance than their malice : and will, neglected, find their own grave quickly; whereas, too sensibly acknowledged, it would make their obloquy ours"(V. 556-561; H. & S., IV, 458).

The same view is significantly shared by the play-historian Cremutius Cordus, as he defends his own annals:

The *Epigrams* of Bibaculus, and Catullus,
Are read, full stuff'd with spight of both the Caesars;
Yet deified Julius, and no less Augustus!
Both bore them, and contemn'd them: (I not know
Promptly to speake it, whether done with more
Temper, or wisdom) For such obloquies
If they despisèd bee, they dye suppress,
But, if with rage acknowledg'd, they are confest.
(III. 434-41)

As has been shown, it can be reasonably established that Elizabethan and Jacobean dramatists, despite their repeated denials of topicality against their work, wrote with "applications" very high on their minds. Jonson, with his long record of literary attacks on persons of state and on contemporary authors, occupies a central position among his contemporaries. His first Roman tragedy *Sejanus* also attracts special interest as a pungent work on recent Elizabethan and Jacobean events. It has already been shown that dramatists of the age sheltered their criticism of the current political affairs behind a facade of innocent historical material. It is also a commonplace that "readers and playgoers [of seventeenth-century England] looked to history for a reflection of their own times and problems."²⁸ There is a growing tendency in recent dramatic criticism to prove that the average Renaissance intellectual "tended to see parallels everywhere, to review personal, civic, and especially national affairs in terms of their similarity to the personal, civic and national affairs of other times and other places."²⁹ Yet historical "parallels" may sometimes prove mere coincidences, totally unintended by the author. The active question may, nevertheless, be that what audiences and readers made of them. It is often more interesting in dramatic criticism to discuss the relation of a given drama to a given age as the audiences interpret it according to their contemporary issues than what the author intended it to be. A few examples may be significant. The performance of Shakespeare's *Richard II* in 1601, mentioned earlier, is a famous one. Jonson's *Catiline* is believed to have been a reflection on the recent Gunpowder Plot. In the Restoration, the play's well-received revivals were taken as

parallels to contemporary political affairs. One has to realise, then, that an original text of drama may often become autonomous from its own author and acquired different "meanings" in different productions. Jonson himself grasped this fact well. In his address "To the Reader in Ordinarie" appended to *Catiline*, he wrote :

The Muses forbid, that I should restrayne your medling, whom I see
alreadie busie with the Title, and tricking ouer the leaues: *It is your owne.*
I departed with my right, when I let it first abroad.

(H. & S., *Ben Jonson*, V, 432; emphasis added)

A similar statement is made by Jonson in the "Induction to *Bartholomew Fair* (1614): "It is ... agreed that euery person here, haue his or their free-will of censure, to like or dislike at their owne charge, the *Author* hauing now departed with his right ..." (ll. 85-87; H. & S., *Ben Jonson*, VI, 15).

Having examined the mechanism of censorship and the prevailing practice of topical meaning in early seventeenth-century drama, it remains to discuss the topical meaning and the political significance of Jonson's *Sejanus* in 1603.

NOTES

1. *Radical Tragedy* (Brighton, 1984), pp. 2.
2. *Ibid.*, p. 24.
3. Philip J. Finkelpearl, 'The Comedians' liberty': Censorship and the Jacobean Stage Reconsidered', *ELR*, 16 (1986), 123.
4. Virginia Gildersleeve, *Government Regulation of the Elizabethan Drama* (New York, 1961), p. 96.
5. See Richard Findlater, *Banned* (London, 1967), p. 23.
6. See V. Gildersleeve, *op. cit.*, p. 99. n.
7. In a conversation with William Lambarde in the summer following the abortive rebellion of Essex, Elizabeth is reported to have said: "I am Richard II, know ye not that?" (See Gildersleeve, *op. cit.*, p. 99.)
8. An interesting study of the play's political aspects and the question of its censorship is provided by John Margeson in the introduction to his edition of the play in *The Revels Plays* (Manchester and New York, 1988), pp. 9-13.
9. See Gildersleeve, *op. cit.*, p. 95.
10. See Findlater, *Banned*, p. 24.
11. *Ibid.*
12. *Ibid.*
13. See Tacitus, *Annals of Imperial Rome*, translated with an introduction by Michael Grant, revised edition, Penguin Books (London, 1987), p. 175.
14. See David Bevington, *Tudor Drama and Politics* (Cambridge, Mass. 1968), p. 11.
15. Quoted by David Nichol Smith, *Characters of the Seventeenth Century* (Oxford, 1918), p. xiii.
16. *Ibid.*
17. *Ibid.*, p. xv.
18. J. A. Barish (ed.), "Introduction" to *Sejanus* (New Haven and London, 1965), p. 17.
19. Quoted by De Luna, *Jonson's Romish Plot*, p. 21.
20. *Ibid.*, p. 21-22.
21. Raumer, *Sixteenth and Seventeenth Centuries*, II, 206-207; quoted by V. Gildersleeve, *op. cit.*, p. 100.
22. See *State Trials*, I, 1359 ff. See also V. Gildersleeve, *op. cit.*, p. 100.
23. Quoted in full by Gildersleeve, p. 101.
24. *Ibid.*
25. Raumer, *op. cit.*, II, 219-220; quoted in Gildersleeve, *op. cit.*, pp. 107-8.
26. See H. & S. for details, and De Luna, *op. cit.*, p. 22, n.
27. *Five plays by Jonson* (London, rept. 1962), pp. 456-57.
28. G. H. Harrison, *The Life and Death of Robert Devereux, Earl of Essex* (New York, 1973), p. 343; quoted in B. N. De Luna, 'Notes of the Precedent Times', in *Jonson's Romish Plot* (Oxford, 1967), p. 2.
29. De Luna, *Jonson's Romish Plot*, p. 1.

CHAPTER FOUR

"later times ... in some speeches enweav'd": The Topical and Political Significance of Jonson's *Sejanus* in Early Jacobean England

Natta. Those times are somewhat queasy to be touched.
(*Sej.* I. 82)

In any political consideration of Jonson's *Sejanus*, all critical roads lead to Jacobean England. The political atmosphere of the early seventeenth century, it will be argued, provides remarkable parallels for this political play. Because of the close representation this play offers of that age it is inevitable in any consideration of *Sejanus* to study the relevance of its subject matter to the political make-up of early Jacobean England. It is strongly believed, as mentioned earlier, that Jonson ruminated on writing this tragedy as early as 1601. This belief is supported, in addition to Jonson's concluding lines in *Poetaster*, quoted above, by an entry, dated 12 February 1603, in the diary of the law-student Manningham that "ben Jonson the poet nowe lives upon one Townsend and scornes the world" (H. & S., *Ben Jonson*, II, 3). It is essential, therefore, that consideration of the political relevance of the play to contemporary England should take into account the political atmosphere of both the late Elizabethan and early Jacobean eras.

The extant form of *Sejanus* poses a permanent problem in attempting to identify the play with the immediate political concerns of the age. For Jonson reveals in his address "To the Readers" that the printed text, "in all numbers, is not the same with that which was acted on the public stage, wherein a second pen had good share; in place of which I have rather chosen to put weaker (and no doubt less pleasing) of mine own, than to defraud so happy a genius of his right by my loathed usurpation" ("To the Readers," *Sejanus*, in H. & S., *Ben Jonson*, IV, 351). In this

chapter I shall seek to investigate the close affinity between Jonson's *Sejanus* and the political structure of the closing years of Elizabeth's reign and the first two years of James's. I shall thus attempt to determine how far Jonson intended this play to reflect upon the politics of the day and shall, accordingly, try to trace such reflections in the extant text.

The public performance of the play was badly received, as Jonson reveals in his dedication of the text to Lord D'Aubigny.¹ One contemporary spectator, "Ev. B.", who prefixed his verses to the Quarto edition, described how at "the Globe's fair ring" he had "viewed the people's beastly rage" at the first performance of the play (See H. & S., *Ben Jonson*, IX, 190), Herford and Simpson cite B. M. Wagner as quoting another eye-witness of the first production of *Sejanus*: "I amon[g]st others hissed Seianus off the stage, yet after sate it out, not only patiently, but with content, & admiration."²

Still worse than the ill-reception of the first production, Jonson found himself in trouble with the authorities in connection with this play. As reported by Drummond of Hawthornden, the poet was "called before y^e Councell for his *Sejanus* & accused both of popperie and treason" (H. & S., *Ben Jonson*, II, 4) by the Earl of Northampton, Henry Howard. The nature of the accusation is no less mysterious than the character of the accuser himself. Of the accusation, it was based presumably on the original form of the play, hence the difficulty in deciding what caused Northampton's action. Further, according to Drummond's account, "Northampton was [Jonson's] mortall enemy for brauling on a St Georges day one of his attenders..." (H. & S., *Ben Jonson*, I, 37, n. 1). Thus, it is also difficult to decide definitely whether Northampton's accusation was genuinely based on the play or merely proceeded from a personal prejudice against the poet. As for the character of Northampton himself, suspicion of unfairness towards Jonson is not far-fetched.

Henry Howard was a crypto-Catholic, as were the majority of the Howard family, and died an avowed one. His notoriety has been almost unanimously

accepted by historians of the time. According to one historian, Howard was "of so venomous and cankered a disposition, that indeed he hated all men of noble parts."³ Another historian pointed out that, at the outset of the Jacobean era, "of all who gathered round the new King, this man was, beyond all comparison, the most undeserving of the favours which he received ... in an age when what we should call the grossest flattery was used as frequently as phrases of common civility are by us, he easily bore away the palm for suppleness and flattery."⁴ Herford and Simpson suggest that Howard, by prosecuting avowed Catholics like Jonson in 1603 and Guy Fawkes two years later over the Gunpowder Plot, was providing himself with a cover for his secret attempts to secure a favourable atmosphere for Catholics in England (H. & S., *Ben Jonson*, I, 37). Such suggestion is little convincing.

Whether or not Northampton based his accusation on the play itself, *Sejanus*, in its extant form, can provide impeccable evidence of Jonson's intent of making the play a covert analogy to the politics of his day, as the following pages will attempt to prove.

Two major concerns in early seventeenth-century England, it will be shown, are closely reflected in this intensely political tragedy, namely, the factional rivalry among prominent Elizabethan courtiers in quest for political power, and the issue of succession to the English throne as Elizabeth's days became obviously numbered. It may be appropriate at this point to refer to a play, which has not survived, on which Jonson collaborated in 1599 as an example of plays reflecting the popular concern with the succession issue: *Robert II, King of Scots*. Anne Barton has interestingly suggested that as it is a play concerned with the first Stuart King of Scotland, *Robert II* "must originally have seemed topical." "By 1599," Barton comments, "concern over the vexed issue of the royal succession was mounting, and eyes were already turned towards Scotland."⁵ Barton point out that Henslowe's two entries in his *Diary* classify the play as a tragedy. In her detailed information on the life and marriage of this Stuart King of Scotland, Barton speculates that the episode Jonson and his three collaborators (Dekker, Chettle, and what Hensloe calls "& Other

Jentelman") may have dramatized in that play was probably "the genealogy of the house of Stuart", an issue which had resulted from the King's belated discovery around 1346 that his eleven-year marriage to Elizabeth Mure fell within the forbidden degrees of kinship, so that his four sons had been born in canonical incest, and were all illegitimate."⁶ Even though the problem was "hastily put right by way of papal dispensation" and Robert proclaimed his first son by Elizabeth Mure heir to the throne, Barton continues, "a slight shadow had been cast, nevertheless, over the genealogy of the house of Stuart at its inception." The significance of choosing such an episode for dramatic treatment by the four dramatists reflects the overriding concern of Englishmen over the succession issue in the year in which the play appeared. "In 1599," Barton writes, "with James VI's claim to Elizabeth's throne a much-debated issue, Henslowe might well have felt that a play touching upon the question of his lineal right to rule Scotland, let alone England, might prove -whatever its bias- to be a popular draw" (p. 13).

Whether or not Barton's speculations over *Robert II* are correct, Jonson's *Sejanus*, even as it exists, is evidently concerned with matters of succession and factional rivalry for power at court. In this respect, the play seems to be holding the mirror up to late Elizabethan politics when the succession issue was uppermost in people's minds and when struggle for political power and influence at the Elizabethan court was acute. Elizabeth, who had always maintained her position by setting factions against each other, had to support the Cecilian faction in order to keep Essex's ambitions in check.⁷

***Sejanus* and the Succession Issue**

One of the major controversial issues of public interest in late Elizabethan England was the succession to the throne. Queen Elizabeth had always showed her unease about this issue and prohibited any discussion in this respect. The inhibition of the subject is reflected in Thomas Wilson's remarks on the contemporary struggle for the English throne:

this crown is not like to fall to the ground for want of heads that claim to wear it, but upon whose head it will fall is by many doubted. ... I do assume muself that the King of Scotland will carry it. [b]ut to determgine thereof is to all English capitally forbidden, and therefore so I leave it.⁸

Both Cecil and Essex were in the last years of Elizabeth's reign involved in secret negotiations with respective claimants to the English throne. Personal ambitions and double dealings were widespread. Essex secretly corresponded with James and had secret designs on the throne himself. Cecil, on the other hand, had his own correspondence with the Scots king, yet was rumoured to be supporting the claims of the Spanish Infanta to the English throne.⁹ With this political background of the late Elizabethan era we have arrived at the execrable atmosphere of ruthless rivalry in Jonson's *Sejanus*.

At the beginning of the play, the Germanicans (Arruntiusm Sabinus, and Silius) are discussing the nature of Sejanus's ambitions and his ultimate aim in the imperial court:

Arruntius. Yet, hath he ambition?
Is there that step in state can make him higher?
Or more? or anything he is, but lesse?
Silius. Nothing, but Emperour.
Arruntius. The name Tiberivs,
I hope, will keepe; how ere he hath fore-gone
The dignitie, and power.
Silius. Sure, while he liues.
Arruntius. And dead, it comes to Drusus. Should he faile,
To the braue issue of Germanicus.
(I. 242-48)

"One of the most striking aspect of the play," Stuart Kurland observes, "is the way the bleak political world it depicts is continually defined in dynastic and family terms."¹⁰ Drusus Senior is angry at the way his father Tiberius, the emperor, raises Sejanus to power:

Is my father mad?
Wearie of life and rule, lords? Thus to heaue
An idoll vp with praise! make him his mate!
His riual in the empire!
(I. 548-51)

In Tacitus's *Annals*, Drusus complains about his father's special treatment of Sejanus in more familiar terms: Drusus repeatedly complained that the emperor,

though he had a son, went elsewhere for his collaborator. Soon, Drusus reflected, the collaborator would be called a colleague- the first steps of an ambitious career are difficult, but once they are achieved helpers and partisans emerge ... His statute is to be seen in Pompey's Theatre. The grandsons of us Drususes will be his grandsons too."¹¹ Sejanus tells his master how Agrippina reminds her sympathizers of her prestigious genealogy (II. 222-3) and how her sons think of themselves "More then competitors, immediate heirs" (II. 234). Sejanus plots with Livia to poison Drusus, the heir apparent to the throne. He also intrigues against the sons of Germanicus, second in line to the throne.

Jonson's treatment of the lineal issue and the struggle for absolute power in *Sejanus* becomes more suggestive when both the play and the major source, the *Annals*, are compared. In the play, Tiberius's response to Sejanus's request to marry Livia is his ostensible concern over a potential animosity by Agrippina as such a marriage would "Divide th'imperial house" (III. 543-6). Jonson's source for this passage is Tacitus's *Annals*, Iv. 39: "Sejanus' judgement now became affected by too great success; *and the feminine ambition hustled him, since Livilla was demanding her promised marriage.*"¹² In the play, however, Sejanus is motivated by mere ambition as Jonson ignores Tacitus's detail about Livia's pressure on Sejanus to marry her. Further, Tiberius reveals in his soliloquy his fear of "SEIANVS pride" (III. 635), hence underlying the extent of Sejanus's ambition to seize full control of imperial power: "To marry Livia? will no less SEIANVS, /Content thy aimes? no lower object? well!" (II. 623-24).

Sejanus's proposed marriage to Livia, as Sweeney observes, "is a direct threat to Tiberius' position as patriarch of Rome ... In essence the quarrel over Livia is really over control of the imperial family."¹³ Sejanus's ambition, however, extends the patriarchal boundaries to threaten the imperial throne itself and hence the political framework of Rome.

The extant form of the play has always perplexed critics who have tried to make sense of Drummond's ambiguous note about the charge of "popperie asnd

treason" against Jonson. Views in this regard have varied considerably. Barbara de Luna suggested that Jonson's play may have "glanced" at the fall of Essex, a royal favourite, in 1601; Jonson, she argued, probably intended "to shadow forth Essex in the much-abused and heroic Silius, or the bloody and hypocritical Sejanus himself."¹⁴ "The prosecution of Jonson before the Privy Council," John Palmer remarked, "is but another instance of the incomprehensible vagaries of censorship." He also argued, without much persuasiveness, that the extant form of *Sejanus* "would seem incapable of local or contemporary application."¹⁵ Herford and Simpson pointed out that Jonson's precedents of personal satires on his contemporaries might have strengthened suspicion over the topicality of the play; they pointed to Jonson's previous play, *Poetaster* (1601):

...it was no doubt hard to believe that the poet who had just used the Court of Augustus as a vehicle for unmeasured personal ridicule of his contemporaries had portrayed the Court of Tiberius in the guileless spirit of a scholar bent only on the historical accuracy of his play.

(H. & S., *Ben Jonson*, I, 36-37)

In his edition of the play, Jonas Barish, "speculating" on the "exact charges" that led to Jonson's summons before the Privy Council, noted that "any play performed in 1603 which dealt with the downfall and execution of a powerful favourite, a favourite who aspired to unseat the monarch he served ... would probably be taken as alluding, however distantly, to the career of the Earl of Essex, which had followed a roughly analogous course two years earlier."¹⁶ The same view was echoed by Richard Dutton a few years later. Linking the play with contemporary political realities, Dutton, in an early study on *Sejanus*, claimed that "the fact that Jonson had chosen to write a play about the fall and death of a royal favourite only two years after the execution of the Earl of Essex made it virtually inevitable that parallels would be drawn."¹⁷ Recently, however, Dutton has raised doubts about the actual nature of the material which Northampton found offensive in *Sejanus*. Dutton rightly remarks that if, according to Philip Edwards's hypothesis, *Sejanus* had its premiere in early 1603 (before the closure of the theatres), then it could not have referred to the trial of Raleigh, which occurred later.¹⁸ Dutton dismisses the

suggestion of an early 1603-production of the play as an "unlikely scenario" (p. 12), and suggests that "what Northampton objected to was the play *as published* (revised, as the text acknowledges) in 1605." (*Ibid.*) He further adds that "the possibility that the examination followed the *publication* of the play in 1605 rather than its 1603 *performance* should not lightly be discounted: it would particularly account for Northampton's central involvement, which is difficult to square with the earlier date."¹⁹

Reading *Sejanus* as an allegory to the conspiracy and the fall of Essex is idle for two main reasons. Firstly, despite the fact that the Essex affair was far from forgotten in 1603, it was not a main issue of the time. Secondly, as Howard was not one of Essex's supporters, any possible analogy to Essex in the character of Sejanus would not have angered him to the extent of protesting vociferously against a play. Indeed, a more convincing surmise is that made by Philip Ayres that Northampton may have detected in Jonson's play an analogy between the trial of Silius and the trial of Raleigh in 1603, in which Northampton played a major role as a commissioner.²⁰

Philip Ayres quotes from the *Dictionary of National Biography* in relation to the political intrigues of Northampton in early Jacobean England:

In letters written to Cecil he made no secret of his intention, when opportunity offered, of snaring his rivals into some questionable negotiation with Spain which might be made the foundation of a charge of treason. ...

Northampton took an active part in political business, and exhibited in all his actions a stupendous want of principle. He was a commissioner for the trial of his personal enemies Sir Walter Raleigh and Lord Cobham in 1603. ...²¹

The similarity between the two trials of Silius and Raleigh, despite some noncorrespondence in their details, is encouraging. The nature of the charge in each case and the motives of the accusers are also significantly analogous. Both Silius and Raleigh were prominent military leaders who achieved considerable fame as soldiers. Silius was falsely accused with complicity with Sacrovir, the enemy whom Silius had bravely fought, and with abetting his rebellion. Similarly, Raleigh

was charged with conspiring with Spain, the very nation which he hated most and which he fought against on separate occasions, to dethrone King James, enthrone Lady Arabella Stuart, and change the true religion.

Jonson's Silius is hardly a replica of the Tacitean figure, who occupies only a peripheral position in the *Annals*. The dramatist elaborates on this character and gives him a distinctive heroic role, inconspicuous in Tacitus. Of his two enemies, Sabinus and Silius, the *Annals* reveals, Sejanus decides that Silius is the first to fall. All Tacitus reports about Silius is that he

... owed [his] ruin to Germanicus' friendship. Silius had also been head of a great army for seven years, winner of honorary triumph in Germany, conqueror of Sacrovir. So his downfall would be ... spectacular and alarming. Many thought he had aggravated his offence by imprudence. For he had boasted excessively of his army's unbroken loyalty when others had lapsed into mutiny. 'If the revolt had spread to my brigades,' he said, 'Tiberius could not have kept the throne.' The emperor felt that these assertions of an obligation beyond all recompence damaged by his own position. For services are welcome as long as it seems possible to repay them, but when they greatly exceed that point they produce not gratitude but hatred.

... When accused, Silius requested a brief adjournment until the accuser's consulship should end. But Tiberius opposed this, arguing that officials often proceeded against private citizens, and that there must be no limitation of the rights of the consuls, on whose watchfulness it depended 'that the State takes no harm.' It was typical of Tiberius to use antique terms to veil new sorts of villainy.

So, with many solemn phrases, the senate was summoned as though the charges against Silius had a legal foundation - as though Varro were a real consul, or Rome a Republic! At first, the defendant said nothing. Then, attempting some sort of a defence, he made it clear whose malevolence was ruining him. The prosecution developed its case - long-standing connivance with Sacrovir and cognizance of his rebellion; victory ruined by rapacity; failure to check his wife's criminal acts. In extortion they were undoubtedly both involved. But the case was conducted as a treason trial.

Silius anticipated imminent condemnation by suicide. but his property was dealt with unmercifully.²²

Jonson's inventiveness in the presentation of Silius in the trial scene is due to a few points. First, the dramatist ignores Tacitus's affirmation of Silius's and Socia's involvement in extortion. Secondly, in the play, Silius's trial is followed by Cordus's indictment, which in Tacitus occurs a year later; and thirdly, Afer figures in the play as the accuser of Silius, and later of Cordus, whereas in the *Annals* he features only two years later as the accuser of Claudia Pulchra. Further, a reader of

Tacitus is led to believe that Silius' suicide takes place not in the senate but elsewhere, but Jonson makes it happen on the stage, with a great dramatic effect.

Jonson's elaboration of the character of Silius and the former's slight departure from recorded facts bolsters up similarity between the Roman figure and Raleigh. The major characteristics of Silius in Tacitus's accounts are "imprudence" and "boastfulness". To these Jonson adds the attributes of "impatience" (III. 167-68), "scorn" (III. 167), "rage" and "heavy drinking" (III. 271), all of which Raleigh was known to have attained. In the play, moreover, Varro calls Silius "An enemy to the state" (III. 234). Coke, one of the Chief Justices on the trial, accused Raleigh of the same charge: "Thou hast an English face, but a Spanish heart."²³ Sejanus calls Silius "insolent" and "impious" (III. 239-40). These traits are also Jonson's own inventiveness about Silius, put in the mouth of his enemy, but not mentioned in Tacitus. Similarly, at Raleigh's trial Coke called the defendant a "damnable Atheist."²⁴ Most significantly of all, Jonson developed a single sentence by Tacitus, that on the trial Silius "made it clear whose malevolence was ruining him", into a major scene with a powerful dramatic dialogue which closely mirrors details in Raleigh's defence on his trial.

The trial of Silius occupies a central position in Jonson's play. Similarly, the trial of Raleigh was at the centre of political affairs in 1603, probably only a few months earlier than the first performance of *Sejanus*. Historians of successive eras have pointed out to the significance of Raleigh's trial in the history of English law. According to Sir Harry Stephen, for instance, Raleigh's trial "excited the highest possible degree of interest at the time, all the actors in it acted from the strongest possible motives."²⁵ Samuel R. Gardiner indicated that this trial was "worthy of memory, as giving the first signal of the reaction which from that moment steadily set in favour of the rights of individuals against the State. Many a man, who came to gloat over the conviction of a traitor, went away prepared to sympathize with the prisoner who had defended himself so well against the brutal invectives of Coke."²⁶ Recorded details of this trial bear evidence of the legitimacy of Gardiner's

statement. One witness at Raleigh's trial said: "never was a man so hated and so popular in so short a time."²⁷ Another witness told the King that although at the beginning "he was so led with the common hatred that he would have gone a hundred miles to see him hanged, he would, ere they parted, have gone a thousand to save his life."²⁸

Stebbing, another biographer of Raleigh's, described the trial eloquently, in a way reminiscent of the trial of Jonson's Silius:

'His trial, which is the opprobrium of forensic and judicial annals, makes a bright page in national history for the unique personality it reveals, with all its wealth of subtlety, courage, and versatility. ... The Raleigh who has stamped himself upon English history, who has fascinated English imagination, is not so much the favourite of Elizabeth, the soldier and sailor; [he] is the baited prey of Coke and Popham, the browbeaten convict of Winchester, the attainted prisoner of the tower.'²⁹

The trial took place on 17 November 1603, in Wolversey Justice, palace of the former Bishop of Winchester. The judges included the two Chief Justices, Sir John Popham and Sir Edmund Anderson, both notoriously renowned for their severity. They were also assisted by no less austere judges, like Sir William Waad, Cecil and Howard, all of whom had personal hatred against Raleigh.

Raleigh protested his innocence against the accusation of his involvement with Cobham in secret talks with Spain:

God doth know, and I can give an account of it, that I have spent forty thousand pounds of mine own against that King and nation; ... that I have been a violent prosecutor and furtherer of all enterprises against that nation. I have served against them in person; and how, [he cries out proudly] my Lord Admiral and my Lord of Suffolk can witness. ... I offered His Majesty, at my uncle Carew's, to carry two thousand men to invade him [i.e. King of Spain], without the King's charge.³⁰

The last two lines, in particular, show Raleigh boasting of his military achievement, exactly as Silius boasted of his favours of military victories to Tiberius (III. 250 ff., 274 ff.), an act which was taken as evidence against him by his accusers.

Raleigh confronted his judges with considerable courage and confidence; his attitude was causing the Jacobean authorities much embarrassment as it showed them plotting an unfair trial for him:

This untoward and ill-boding affair infinitely harasses the King's mind. But it afflicts and troubles the mind of Sir Robert Cecil far more as he has to bear the whole weight of it. And he undertakes and conducts it with so much enthusiasm, that it is said he acts more from interest and passion than for the good of the State.³¹

A reasonably convincing correspondence to this statement about Cecil in Jonson's *Sejanus* is the dramatic dialogue between Varro, the accuser, and Silius, the accused, in which the latter proves himself a mere victim of malevolent individuals:

Varro. This betrayes his spirit.
This doth inough declare him what he is.
Silius. What am I? Speak.
Varro. An enemie to the state.
Silius. Because I am an enemie to thee,
And such corrupted ministers o'the state,
That here art made a present instrument
To gratifie it with thine own disgace.
(III. 233-38)

Although the second line of Silius's last speech ("And such corrupted ministers o'the state") does not fit Raleigh, who was himself a known corrupt minister, it is at least harmonious with some of Raleigh's verses about the corruption of the court, at a time when Raleigh was estranged from it. His famous poem, *The Lie*, offers an interesting correspondence:

Go, Soul, the body's guest,
Upon a thankless arrant;
Fear not to touch the best;
The truth shall be thy warrant:
Go, since I needs must die,
And give the world a lie.

Say to the Court, it glows
And shines like rotten wood;
Say to the Church, it shows
What's good, and doth no good.
If Church and Court reply
Then give them both the lie.

Tell potentates they live
Acting by others' action:
Not loved unless they give,
Not strong but by a faction:
If potentates reply,
Give potentates the lie.

Tell men of high condition
That manage the Estate,
Their purpose is ambition,

Their practice only hate:
 And if they once reply,
 Then give them all the lie.
 ...

So when thou hast, as I
 Commanded thee, done blabbing --
 Although to give the lie
 Deserves no less than stabbing --
 Stab at thee he that will!
 No stab the soul can kill!³²

A further point of similarity between the two trials is that both men denied any knowledge of the charges that they faced, and both protested their innocence. In the play, Jonson, unaided by his classical source, presents Silius as a character more akin to contemporary Raleigh than to the Tacitean figure. Silius angrily and cynically denies the charges made by Afer:

Silius. What are my crimes? Proclaime them.
 Am I too rich? too honest for the times?
 Have I or treasure, jewels, land, or houses
 That some informer gapes for? Is my strength
 Too much to be admitted? Or my knowledge?
 These now are crimes.

Afer. Nay, Silivs, if the name
 Of crime so touch thee, with what impotence
 Wilt thou endure the matter to be search'd?

Silius. I tell thee, Afer, with more scorn than feare:
 Employ your mercenarie tongue and arte.
 (III. 168-77)

Correspondence to this dramatic dialogue can be found in that between Raleigh and Coke on the day of the trial:

Raleigh. Master Attorney, I pray you to whom, or to what end, speak you all this; I protest I do not understand what a word of this means, except it be to tell me news. What is the treason of Markham and the priests to me?

Coke. I will then come close to you. I will prove you to be the most notorious traitor that ever came to the bar. ... I will charge you with the words.

*Raleigh.*³³ Your words cannot condemn me. My innocence is my defence.

All the details in Silius's speech fit Raleigh (rich, powerful, knowledgeable of the ill-practice at Court, and an owner of residences and estates, and probably even "too

honest for the times" when he was surpassed as a wily courtier by the breed of intriguers, like Cecil and Howard.

One major speech by Silius in the trial scene which commands special attention in relation to the comparison between the two trials is the following exchange of lines between Afer and the defendant:

Afer. He [i.e. Silius] shall haue iustice.

Silius. Nay, I shall have law;
Shall I not, Afer? Speake.

Afer. Would you have mo[re?]

Silius. No, my well-spoken man, I would no more;
Nor lesse: might I inioy it naturall,
Not taught to speak vnto your present ends,
Free from thine, his, and all your unkind handling,
Furious enforcing, most vniust presuming,
Malicious, and manifold applying,
Foule wresting, and impossible construction.

(III. 221-29)

Raleigh questioned the impartiality of the judges looking into his case and mistrusted the law in bringing the charges against him. He pointed out that two witnesses were needed to convict him, whereas there was only one accuser against him, the self-contradicting Cobham. Raleigh pleaded that Cobham should be brought to face him. He protested that Cobham accused him only because he had accused Cobham earlier:

Were it not for his accusations, all this were nothing. ... It can be no hurt for him to be brought. He dareth not accuse me. If you grant me not this favour, *I am strangely used*.³⁴ Campion was not denied to have his accusers face to face.

One of the judges, Justice Warburton replied to Raleigh: "By law, a man may be condemned upon presumption and circumstances, without any witness to the main fact."³⁵ Raleigh protested to the judges that "your Lordships, as ministers of the King, are bound to administer the law in equity."³⁶ Popham, one of the jury, replied: "Equity must proceed from the King. You can only have justice from us."³⁷ To Raleigh's assertion that "the common trial of England is by jury and witnesses", Cobham replied:

There must not be such a gulf opened for the destruction of the King, which would be, if we should grant this. You plead hard for yourself. But the laws plead as hard for the safety of the King.³⁸

In juxtaposition, Silius's protests against "furious enforcing", "unjust presuming", "foul wresting" and "impossible construction" echo Raleigh's complaints to his judges that "you have not proved any one thing by direct proofs, but all by circumstances. ... False reflections and mistakings must not mar my cause."³⁹ A close resemblance to Silius's specific complaint about the "unjust presuming" by his prosecutors is in Raleigh's demur that "Presumptions must proceed from precedent or subsequent facts. ... If you would be contented to be so judged, judge so of me."⁴⁰

Another point of similarity is worth mentioning. When arrested, Raleigh, foreseeing his inevitable end, attempted suicide in order to save his property, which would be forfeited if he was convicted. According to Beaumont, the French Ambassador, in a letter to his King, dated 3 August 1603, Raleigh declared that he had intended to kill himself not out of fear but because he wanted to deprive his adversaries of their triumph at his defeat. Their "power to put him to death, despite his innocence, he well knows."⁴¹ In Jonson's play, when Afer cynically accuses Silius of "raving", the latter replies:

Thou durst not tell me so
Hadst thou not Caesar's warrant. I can see
Whose power condemns me.

(III. 230-32)

A few lines later, Silius foils his accusers' intention of humiliating him by committing suicide:

Stay, most officious *Senate*, I shall straight
Delude thy furie. Silius hath not plac'd
His guards within him, against fortunes spight,
So weakely, but he can escape your gripe
That are but hands of fortune.

(III. 320-24)

It must be conceded, however, that the end of Silius in *Sejanus* is different from that of Raleigh. The former committed suicide on his trial; the former attempted it on his arrest, but on his trial, unlike Silius, he asked for mercy. There are also other differences between the two trials. The historical Silius was confronted by his accuser, Varro, (who was not a witness), whereas Raleigh's

request that he be brought together with his accuser and old ally, Lord Cobham, was persistently refused. The implicit similarity between the two trials can also be deduced in a statement by the historian Sir Harry Stephen on Raleigh's trial:

Raleigh was unjustly and wickedly convicted by the highest officers of the State exercising their most solemn functions. Of the many men who have been unjustly convicted he was perhaps the most illustrious.

The trial, Stephen continues, "was a tragedy for all concerned; it is a disgrace to English law."⁴²

Northampton's accusation of Jonson over this play, however, does not necessarily establish the dramatist's guilt of intended parallels. This intensely political tragedy, by virtue of Jonson's prophetic insight into the reality of politics has proved extra-spatial and extra-temporal. In 1626, for instance, a political predicament relating to a reference to *Sejanus* occurred between King Charles I and his parliament. For on 11 May of that year, the King sent John Eliot and Sir Dudley Digges to the Tower because they were accused of drawing a parallel between Buckingham and Sejanus, which consequently implied that Charles was Tiberius. Apparently, the two parliamentarians managed to prove their innocence of the charge and secured their release.⁴³ In the nineteenth century Hazlitt pointed out his awareness of the timeliness and the political potentiality of the play. Embarking on an anthology of his favourite parts of the play, he expressed his fear to refer to such parts

lest they should be tortured into an application to other times and characters than those referred to by the poet. Some of the sounds, indeed, may bear (for what I know) an awkward construction: some of the objects may look double to squint-eyed suspicion. But that is not my fault. It only proves, that the character of prophet and poet are implied in each other; that he who describes human nature well once, describes it for good and all, as it always was, and must always remain a libel to the tyrant and the slave.⁴⁴

In the present day *Sejanus* attracts special attention for its capability of reflecting on many political situations in modern non-democratic states, in which regimes are based on oligarchy, supported by networks of spies and informers. No doubt, producing the play or teaching it on a university curriculum would probably cause the anger of the authorities.

Whether Jonson deliberately intended his play to reflect upon the trial of Raleigh in his dramatisation of Silius's trial is impossible to prove. According to Manningham's note, quoted above, Jonson was, by February 12, 1603, still in the process of writing *Sejanus*. Raleigh's arrest occurred on July 17, and his trial took place exactly four months later. It is unlikely, then, that Jonson revised his play after August, 1603, in order to reinforce in Silius's trial parallels to the trial of Raleigh. However, one can only speculate that Jonson may have adapted his material in the printed text of 1605 in order to draw a parallel to the trial of Raleigh two years later. Further, it is worth suggesting that the actors in the first production may have drawn parallels to Northampton or Raleigh by means of costume and mimicry. Though there is no recorded evidence to support such suggestion about the 1603-4 production, such practice by actors during this age was reported about a few plays.

Though it is true that Henslowe's diary shows that a few Elizabethan and Jacobean plays were written in a few weeks, and though Jonson later claims that *Volpone* was one of those cases⁴⁵, *Sejanus* is almost certainly an exception to this fact. One is made to believe that this classical tragedy demanded the dedication of the dramatist's time for almost two years. What Northampton may have thought about the period of composing this play is another matter. Relying on the evidence that Jonson never made serious departures from his classical sources in relation to Silius's trial, and that he had thought of writing the play since 1601, one can strongly suggest that *Sejanus*, like the 1601 production of Shakespeare's *Richard II*, was interpreted as containing an allegory to current political events, probably not intended by the dramatist.

Another factor which slightly discourages the presumption that Jonson genuinely intended a parallel between Silius and Raleigh in relation to their trials is the ambiguous relation between the dramatist and Raleigh prior to and during the first two years of the Jacobean era. Evidence of such a relation between the two figures, though scanty, bears no indication that they were on friendly terms. Raleigh

was a Protestant and hated Catholics, of whom Jonson was an avowed one at this time. Raleigh supported the Huguenots in 1569 and later fought against Catholics when he led a punitive expedition against the Spanish power in Panama in 1592. Once, after 1592, he boasted he had captured a "notable stout villain" of a Jesuit.⁴⁶

References to Raleigh by Jonson are anything but pleasant. This may have been a reason of a possible chilly relation between the two men. The dramatist made unfriendly remarks about Raleigh when, telling Drummond that "the best wits in England were employed for making [Raleigh's] history" (i.e. *History of the World*), he claimed that he "had written a piece to him of the Punic War for which he [Raleigh] altered and set in his book."⁴⁷ To Jonson, Raleigh "esteemed more of fame than conscience."⁴⁸ Though Jonson travelled to France as tutor to Raleigh's son in 1613, this does not necessarily establish that he was on good terms with Raleigh before or during 1603.⁴⁹ Nor should it be forgotten that Jonson wavered between friendly and hostile relations with a few of his contemporaries, like Inigo Jones and his fellow-dramatist Thomas Dekker, with whom he collaborated in 1599 in the lost tragedies, *The Page of Plymouth* and *Robert II of Scots*, and whom he satirized in his *Poetaster* three years later.

The vital issue is, however, not whether Jonson deliberately intended to reflect upon the Raleigh affair in his play, but what the attitude of the Jacobean authorities was towards the drama of the age. This leads in itself to the conclusion that in Jacobean England plays were deemed an effective medium to disseminate political ideas and to shape and guide public opinion. Such political plays like *Sejanus* and the hostile response of the Jacobean authorities also reveal the sensibility of the age and the determination of both dramatists and governments to take control of drama.

Jonson, of course, protested his innocence over the alleged topicality of his play in 1603-4. The scholarly annotations provided with the Quarto, Jonson claims, are only to show his warrant in classical sources:

... least in some nice nostrill, the *Quotations* might sauour affected, I doe let you know, that I abhor nothing more; and have onely done it to shew my integrity in the *Story*, and saue my selfe in those common Torturers, that bring all wit to the Rack: whose Noses are euer like Swine spoyling, and rooting up the *Muses*, as blindly working vnder Earth to cast any, the least, hills vpon Vertue.⁵⁰

In the commendatory verses prefixed to the same edition, Jonson's friends also defended him against the charge. Hugh Holland, for instance, reproaches the "great ones", presumably Jonson's accusers, and warns;

Nor make your selves lesse honest then you are,
To make our Author wiser then he is:
Ne of such Crimes accuse him, which I dare
By all his Muses sweare, be none of his.
(lines 9-12)

In harmony with these lines are the following from a separate poem by the anonymous "*philos*" (friend):

Yet some there be, that are not moou'd hereby,
And others are so quick, that they will spy
Where later times are in some speech enweav'd--
Those wary simples, and these simple elves:
They are so dull, they cannot be deceived,
These so unjust, they will deceive themselves.
(lines 9-14)

Another possibility in establishing analogies between *Sejanus* and contemporary political issues is one between Sejanus and Raleigh, two influential favourites, accused of plotting against their sovereigns and brought down by virtue of their excessive ambition. The "pious" postscript to the Quarto edition of *Sejanus* in 1605 supports such possibility. This leads to another suggestion that Jonson, a contemporary of Raleigh during the latter's prosperity and adversity, may have found in Raleigh's career and his fall in 1603 a parallel to his own central character:

This do we advance as a marke of Terror to all *Traytors*, & Treasons; to show how just the *Heavens* are in powring and thundring downe a weighty vengeance on their vnnatural intents, even to the worst *Princes*: Much more to-those, for guard of whose Piety and Vertue, the *Angels* are in continuall watch, and *God* himselfe miraculously working.⁵¹

The postscript, then, would have served both as means to alleviate the authorities' anger and avoid their complaints about the play and to promote his play, as it was usual for contemporary dramatists to make references to current issues in order to make their plays popular.⁵²

It is reasonable, then, to suggest that Jonson genuinely meant the play to be a "lesson" about conspiratorial attempts by court favourites against their monarchs. By 1605 the item much in the news had been Raleigh's alleged conspiracy against James and his trial and consequent disgrace. Less persuasive is the suggestion made by Whalley that "The allusion [in the postscript] is probably to the Gunpowder Plot."⁵³ Briggs agrees with Whalley's suggestion and adds that "the postscript may conceivably be to the affair of Essex, which bore less distant resemblance to Sejanus' conspiracy and perhaps suggested the subject."⁵⁴ De Luna mentions that the postscript "could not have failed to please James, who constantly emphasized the "miraculous" nature of his escape from the Powder Plot."⁵⁵ Although it is reasonable to accept that Jonson's addition to the "argument" in his quarto edition of *Sejanus* may refer to the Gunpowder Plot of November, 1605, it seems more plausible to argue that it looks back on the recent conviction of Raleigh, the "traitor" who was allegedly involved in the Bye-plot and Main Plot against James I. The similarity between Jonson's play and Raleigh's whole ambitious career and his decline two years earlier than the date of the first printed text, it can be argued, is considerable.

One is also obliged to argue that Jonson intended the play to be a veiled attack on contemporary English politics in the years prior to 1601, the year in which Jonson is believed to have considered writing this Roman tragedy. The correlation between textual evidence and the external information on the politics of the time is intriguing. The political instability of England during this period explains the intense concern of the theatre with politics. Throughout the 1590s England witnessed a growing tendency towards suppressing Catholic recusants and Puritans. A series of conspiracies and revolts punctuated the early 1600s. In 1601 the Earl of Essex and others, including Southampton, led a rebellion to overthrow Queen Elizabeth. In the first year of James's reign, in 1603, a political furore arose over the alleged involvement of Raleigh and Cobham in the Main Plot and Bye-Plot to overthrow King James.

To combat such conspiracies, and in the absence of a proper police force, the late Elizabethan and early Jacobean governments had to rely on spies and informers in order to make accusations against alleged criminals. Such networks of state agents were employed by the prominent figure Secretary Robert Cecil. Financial encouragements were given to government spies in order to bring successful prosecutions.⁵⁶ What fanned the fire of discontent even more was the granting and selling of monopolies to court favourites by the monarch. On his way south from Edinburgh on 5 April 1603, James scattered knighthoods "with a profusion which astonished those who remembered the sober days of Elizabeth."⁵⁷ Parallel to this practice is, of course, dramatized in Act I, 178ff., when Sejanus and Satrius discuss the price Eudemus is willing to pay in order to "buy" "A tribune's place" (III. 83; 84).

The struggle for influence by favourites in Jonson's play also has its parallel in the politics of early Jacobean England. In the closing years of Elizabeth's reign, corruption at court increased noticeably. Contention between courtiers struggling for royal favour was fierce and gave rise to ruthless plots. The antagonism between Essex and rival courtiers like Charles Blount and Sir Walter Raleigh - with challenges of duels which marked such antagonism -⁵⁸ was news of the time. The fall of one favourite meant the rise of a rival. As Essex plummeted down to his tragic end in 1601, Raleigh ascended a prominent place at court. The latter was in turn brought down to adversity in 1603 by Robert Cecil and Henry Howard for the alleged Bye Plot against James I. This court factionalism and the succession of corrupt and ruthless favourites must have made considerable sense to Jonson's reading of Tacitus's account of the career of Sejanus and his replacement by the more ruthless Macro. Jonson aptly describes this mechanism when he has Sabinus say:

We are no guilty men, and then no great.
(*Sej.*, I. 12)

No less appositely did Francis Bacon register his observation of the time when he remarked that "all rising to great place is by a winding stair."⁵⁹

That corruption in the late Elizabethan court was considerable was evident in the assortment of petitions sent to the new King, James VI of Scotland, on his journey south. Although some petitions requested secular and ecclesiastical reforms, many were merely requests for recognition of personal advancement. As for the secular complaints to King James, they involved the established government of the day, both its personnel and policies. Among other things, they included inefficient administration, high fees, and corruption in high places.⁶⁰

The attacks on the personnel of the government were often motivated by self-interest and advancement. For the last two years prior to Elizabeth's death in 1603, Robert Cecil was at the helm of a small group dominating the government. Many courtiers, less privileged than Cecil and his clique may have seen in the accession of a new King an opportunity to gain or restore their fortunes. Such were figures like Lord Henry Howard (later created Lord Northampton from March 13, 1604) and the Earl of Northumberland. Others, like Cobham and Raleigh, who were already in power, sought more influence at court. In the first year of James's reign the English court saw an influx of royal favourites who enjoyed considerable privileges. A Scots favourite, Sir George Home, for instance, won two powerful offices : Chancellor of the Exchequer and Master of the Great Wardrobe.⁶¹ Another favourite, Lord Henry Howard soon became a rising star at court, and many more favourites were to follow later in James's reign.

The central question in the political arena of late Elizabethan England, which relates to *Sejanus*, was the succession issue. The ailing Queen had no heir to the throne, nor did she name one at an early stage. The political vacuum that her expected death was likely to cause was thus a matter of great concern for the majority of her subjects who looked for a peaceful succession of an able monarch. In December 1602, Sir John Harrington told his wife: "Our dear Queen doth now bear show of human infirmity -too fast for the evil which we shall get by her death,

and too slow for that good which she shall get by her releasement from pains and misery."⁶² The majority of English people hoped for a quiet succession that could save the country from foreign interference. Prior to Elizabeth's death, different political and religious groups were holding separate discussions relating to the possible successor to the throne. Among other groups, the Catholics held their own meeting at Enfield House (which was later used in the Gunpowder Plot of 1605). Garnet, representing English Jesuits, was directed by Catholic Spain to ensure that, "if possible, no one should be allowed to succeed except one who would not only grant toleration, but would directly favour the Catholic religion."⁶³ In 1602, two Jesuit priests, Watson and Clerke, met King James and asked for a promise of religious toleration. Cecil, who opposed toleration, wrote to the Archbishop of York protesting: "I love not to yield to any toleration. ... I will be much less than I am, or rather, nothing at all, before I shall ever become an instrument of such a miserable change."⁶⁴

Henry Howard, Cecil's ally, was of a different view. A concealed Catholic, he was in favour of toleration towards Catholics and believed that England should allow at least "a mass in a corner." James artfully showed he was willing to provide toleration. He exchanged friendly letters with the Pope and led Howard to believe that he would fulfil his promise. As James's succession happened smoothly, the new King showed his opposition to the idea of toleration. It can therefore be suggested that censorship on plays at this time stemmed from the fear that drama might play a subversive role in undermining James's right as a lawful king of England and in subverting the State religion. Jonson, being a declared Catholic at this time, might have been strongly suspected of doing that in *Sejanus*.

The seriousness of the issue of succession and the hope for a peaceful one was later reflected in the popular joy at the accession of James, conspicuous in the "Dedication of the Authorized Version of the Bible":

Great and manifold were the blessings, most dread Sovereign, which almighty God, the Father of all mercies, bestowed upon us the people of *England*, when first he sent Your Majesty's Royal Person to rule and reign

over us. For whereas it was the expectation of many, who wished not well unto our *Sion*, that upon the setting of that bright *occidental Star*, Queen *Elizabeth* of most happy memory, some thick and palpable clouds of darkness would so have overshadowed this Land, that men should have been in doubt which way they were to walk, the appearance of Your Majesty, as of the *Sun* in his strength, instantly dispelled those supposed and surmised mists, and gave unto all that were affected exceeding cause of comfort.⁶⁵

Sejanus may thus have been interpreted in late 1603 or late 1604 as a sign of opposing the succession of King James to the English throne, if not as an attempt of undermining the royal system altogether.

In *Sejanus*, the tone of dissatisfaction with the increasing dictatorship of Tiberius may have been interpreted as a sign of provoking opposition to the new King, a "stranger" to the English political system. On the other hand, blame for the disintegration of civil liberty falls on the nobility for their submissiveness and servility to the despotic ruler. Silius angrily laments the decline of the old liberty:

We, that (within these fourescore yeeres) were borne
Free, equall lords of the triumphed world,
And knew no masters, but affections,
To which betraying first our liberties,
We since became the slaues to one mans lusts;
And now to many: euery ministring spie
That will accuse, and sweare, is lord of you,
Of me, of all, our fortunes, and our liues.
(I. 59-66)

In 1601 King James had sent secret agents, at the request of Essex, to sound English statesmen about the issue of his succession. As Essex had then been executed, James's agents turned instead to "Mr. Secretery and his followers" (i.e. Raleigh, Cobham and Northumberland). As the major blame of Essex's downfall was put on Raleigh, the latter's old friend, Robert Cecil, tried to disentangle himself from the popular hatred caused by the execution, and thus dissociated himself from the hated Raleigh. King James also had his own reasons to hate Raleigh.

Back in 1585 Raleigh had been associated with a political book, offensive to King James, entitled *Reasons why the King of Scots is Unacceptable to the People of England*. John Peirson, a scrivener, confessed to Secretery Walsingham that of that book Peirson had made "five or six copies, whereof he delivered one to Sir Walter Rawley his master."⁶⁶ Although James seemed at some point willing to

compromise with Raleigh and sent the Duke of Lennox in November 1601 to meet him in London, the future King of England had his strong reservations about Raleigh and considered his destruction.⁶⁷

Raleigh was a fierce opponent of Spain and thus incurred the hatred of the pro-Spanish Henry Howard.⁶⁸ Howard therefore started poisoning James's mind against Raleigh. Robert Cecil also hated Raleigh as a powerful rival, and joined forces with Howard in planning to bring about the fall of Raleigh by enforcing James's hatred towards him. In one of his malicious letters to King James, Cecil fed the monarch's suspicion of Raleigh and Cobham:

I do profess in the presence of Him that knoweth and searcheth all men's hearts, that if I did not sometimes cast a stone into the mouths of these gaping crabs when they are in their prodigal humour of discourse, they would not stick to confess daily how contrary it is to their nature to resolve to be under your sovereignty; though they confess -Raleigh especially- that, *rebus sic stantibus*, natural policy forceth them to keep on foot such a trade against the great day of mart Yet, under pretext of extraordinary care of his well-doing, I have seemed to dissuade him from engaging himself too far, even for himself.⁶⁹

Cecil's hostile remarks found credence in James, who wrote back to the Secretary, on June 4, 1602: "Your suspicion, and your disgracing, shall be mine."⁷⁰

During the period preceding Elizabeth's death in March 1603, there had been no serious opposition to James's succession to the English throne, despite some insignificant talks of Arabella Stuart as a possible successor. Cecil managed to secure a peaceful succession for King James. James had earlier considered the possibility of invading England if a peaceful succession was not secured. Cecil then assured the King that Elizabeth was "not inclined to cut off the natural branch, and graft upon the wild stock."⁷¹ As a Privy Councillor Cecil read the proclamation naming James King of England. Raleigh himself was sent among an assembly which drew up an address of welcome to the new King. He is believed to have suggested making England a republic: "Let us keep the staff in our hands, and set up a commonwealth, and not remain subject to a needy beggarly nation."⁷² Within this perspective of late Elizabethan and early Jacobean politics Jonson's play figures as a

significant example of the dramatic mirrors which reflect both the social and political structure of the age.

To Jonson, this political climate did not bode well. In foreign history he found a genuine representation of the social and political concerns of his age. The corrupt Italian courts and the recent history of France provided Marston and Chapman with dramatic mirrors which served as early warnings of a possible similar fate for the English body politic. Similarly, in his reading of classical historians like Tacitus and Sallust, Jonson found an analogy between the fall of the Roman Republic and the growing absolutism of contemporary England.

In *Sejanus*, though the passages which may have angered the Jacobean authorities were later changed by the dramatist in the first printed text of 1605, at least one possible application, which has survived the Master of the Revels' corrective pen, has been cited in the quarto and was altered only in the Folio of 1616. In the Quarto, the outspoken stoic Silius says:

So soone, all best turnes,
With Princes, do convert to iniuries
In estimation, when greater rise
Then can be answer'd. Benefits, with you,
Are of no longer pleasure, then you can
With ease restore them; that transcended once,
Your studies are not how to thanke, but kill.
It is your nature, to haue all men slaues
To you, but you acknowledging to none.
(III. 302-10)

In the Folio of 1616 the opening lines of Silius's speech read:

so soon, all best turnes,
With *doubtfull* Princes, turne deep iniuries ...
(emphasis added)

The bitter criticism of "princes" explicit in the previous lines by Silius (III. 302-10), editors of Jonson's play have argued, seems to have offended the authorities and probably "formed one item in the bill of complaints against Jonson"⁷³. The insertion of the defining word "doubtful" in the Folio was obviously a cautious move by the dramatist to mitigate the displeasure of the authorities against him. The same underlying republican sentiment and opposition

to monarchy as a political system had been expressed a year earlier by the dramatist who shared with Jonson almost the same intellectual and political views, namely, George Chapman in *The Gentleman Usher*:

And whats a Prince? Had all beene vertuous men
There never had been Prince upon the earth,
And so no subiect; all men had beene Princes.
(Quarto, 1606, sig I)⁷⁴

Yet, outspoken allusions to and criticism of "princes" are abundant in Jonson's audacious play. In Act One, Sabinus, a chorus-like critic of the tyrannical rule of Tiberius, remarks:

When men grow fast
Honor'd, and lou'd, there is a tricke in state
(Which iealous princes neuer faile to vse)
How to decline that growth, with faire pretext,
And honourable colours of employment,
Either by embassie, the war, or such,
To shift them forth into another aire,
Where they may purge, and lessen.
(I. 159-66)

Later, Arruntius, another member of the choral group of Germanicans, describes Tiberius's dissimulation (when Cordus comments "Rarely dissembled") as "Prince-like to the life" (I. 395; H. & S., *Ben Jonson*, IV, 368). The association of "princes" and tyranny in the play comes in Act Two when Sejanus exclaims:

The prince, who shames a tyrannes name to beare,
Shall neuer dare doe any thing, but feare.
(II. 178-79)

Though the previous two lines are voiced by Sejanus, the villain-hero of the play, Tiberius is done no credit and his image as a tyrant is not diminished by the favourite's imperceptiveness.

No doubt, to a dramatist like Jonson, with deep insight into the core of politics, the flux at court of royal favourites, scheming courtiers and sycophants signalled alarming symptoms of corruption -a problem which deserved serious attention. Silius criticizes the deteriorating court as it teems with flatterers around a despotic ruler:

this is a case
Deserues our feare, and doth presage the nigh,

And close approach of bloud and tyranny.
 "Flattery is midwife unto princes rage:
 "And nothing sooner, doth helpe forth a tyranne,
 "Then that the whisperers grace, who haue the time,
 "The place, the power, to make all men offenders.
 (I. 418-24)

That Jonson wanted his first Roman tragedy to be a kind of preaching to his own monarch is aptly evident in two lines by Sabinus in the first Act of the play. The rash Arruntius voices one of his unguarded remarks about Tiberius; this time about the Emperor's dissimulation:

He should be told this: and be bid dissemble
 With fooles and blinde men: We that know the euill
 Should hunt the Palace-rattes, or giue them bane;
 Fright hence these worse then rauens, that deuoure
 The quicke, where they but prey vpon the dead:
 He shall be told it.
 (I. 425-29)

To this, Sabinus prudently replies:

Stay, Arruntius,
 We must abide our opportunity:
 And practise what is fit, as what is needful.
"It is not safe t'enforce a soueraigne's ear:
"Princes heare well, if they at all will heare.
 (I. 430-34; emphasis added)

Jonson was fully aware of the danger behind 'forcing a sovereign's ear'; soon after the royal entry of King James into London in March, 1604, he was to become one of the leading masque-writers of the age, preaching royalty through the creation of heroic roles derived from legend and fiction.

Covert allusions to the political situation in early Jacobean England are recurrent in *Sejanus*. At the very outset of the play, references to the early Jacobean court can soon be traced :

Silius. 'Tis true: Indeed, this place is not our sphære.
Sabinus. No, Silius, wee are no good inginers;
 We want the fine arts, & their thriuing vse,
 Should make vs grac'd, or favour'd of the times:
 We have no shift of faces, no cleft tongues,
 No soft, and glutinous bodies, that can sticke,
 Like snailes, on painted walls; or, on our brests,
 Creep vp, to fall, from that proud height, to which
 We did by slauerie, not by seruice, clime.
 (I. 3-11)

Sabinus's dramatic lines are almost certainly more than mere criticism of the Tiberian court. They are an eloquent description of the structure of the court of early Jacobean reign. As a professed Roman Catholic during this time, Jonson was, no doubt, out of the royal favour, despite his growing fame as a dramatist. The Jacobean audience of the play, one may reasonably suggest, must have realised the implicit reference in the above lines to the court factions at a time when leading courtiers like Cecil, Raleigh and Henry Howard had already made their individual contacts with the new king in an attempt to secure the royal favour. It is equally reasonable to suggest that, at least, the politically-conscious section of Jonson's audience could apply the meaning of "good engineers", that is "wily plotters and intriguers", to courtiers like Walter Raleigh and Essex, who were known for their heated rivalry over royal favours. Essex hated Raleigh and engineered his destruction by raising against him the enmity of James. The term "engineers" would have aptly described both rivals who were renowned as ruthless plotters and intriguers. "The story that it was Raleigh who engineered the death of Essex," writes Philip Edwards, "was embroidered down to such details as that during the Earl's execution he had scornfully puffed away a pipe [*sic*]."75

Robert Cecil, who was a leading figure in Elizabeth's court and the main royal advisor, was known to have made secret contacts with James in Scotland as death was approaching the Queen of England. To him the references in "shift of faces" and "cleft tongues" would have been made clear. Under the disguise of criticizing the court of imperial Rome Jonson, one is strongly led to believe, wanted the stage Sabinus to reflect on the "guilty men" who had, two years earlier in 1601, fallen "from that proud height to which [they] did by slavery, not by service, climb", namely, the Earl of Essex and his fellow-conspirators, including the Earl of Southampton. The recent fall of Sir Walter Raleigh at James's court in the same year in which *Sejanus* was performed would have made, too, an immediate association with Sabinus's remarks.

Looking at Jonson's play from the perspective of Elizabethan and Jacobean politics, it is not surprising that the extant text, though more refined than the acted version in terms of "treasonable matter", should have caused discontent among the Jacobean authorities. Lines such as the following, uttered vociferously by Arruntius as he criticizes "the men" and laments the bravery of his ancestors, were probably interpreted in 1603-04 in the Globe by some government agents as a direct provocation of conspiracies against the monarch:

Where is now the soule
Of god-like Cato? he, that durst be good,
When Caesar durst be euill; and had power,
As not to live his slaue, to dye his master.
Or where the constant Brvtvs, that (being prooffe
Against all charme of benefits) did strike
So braue a blow into the monsters heart
That sought vnkindly to captiue his countrie?
(I. 89-96)

With the memory of the abortive rebellion of Essex against Elizabeth in 1601 still fresh in everybody's mind in 1603, the above lines, given by one of the "good men" in the play, would have been taken as seditious and treasonable. Further, there is little doubt that readers of the first published text of the play in 1605 could not have captured the possible allusion to a conspiracy against King James soon after the Gunpowder Plot was foiled. No less treasonable would have been the bold endorsement of murdering the sovereign implicit in the last two lines of Arruntius' speech:

'Tis true that Cordus sayes,
Brave Cassius was the last of all that race.
(I. 104-5)

Nothing else would have been more seditious or treasonable in an age in which monarchy was heading progressively towards absolutism, and at a time when conspiracies against the monarchs were facts of recent history.

Among the Catholic circles, to which Jonson at this time belonged, was a strong sentiment against the Protestant state and its network of spies and informers who imperilled the lives of suspected recusants and threatened to inherit their

properties as rewards from the state for their services. Silius reflects the fears of Catholics in early Jacobean England in the following lines:

These can lye,
Flatter, and sweare, forswear, depaue, informe,
Smile, and betray; make guilty men; then beg
The forfeit liues, to get the liuings; cut
Mens throates with whisprings.

(I. 27-31)

No less significant as an allusion to the persecution of Catholics in late Elizabethan England is a later, and equally forceful, remark by Arruntius:

May I thinke,
And not be rackt? What danger is't to dreame?
Talke in ones sleep? or cough?

.....
*No place, no day, no houre (we see) is free
(Not our religious and most sacred times)
From some one kind of crueltie.*

(IV. 304-6, 312-14; emphasis added)

It is not surprising, thus, that drama, the leading medium in guiding opinion in that age, should portray such issues as the employment of state spies and the submissiveness of the nation's representatives at a time when Members of Parliament were losing ground in the face of the increasing authority of the monarch. Barry Coward, writing on the division between the sovereign and parliament under the Stuarts, has revealed that "M.P.s were not protected by privileges of free speech or freedom from arrest. After many of the parliaments of the reigns of Elizabeth [and] James I, .. the crown had no compunction in arresting and imprisoning those MPs with whom it was displeased."⁷⁶ In *Sejanus*, as Silius speaks of the lamentable existence of spies and the sycophants in Tiberius's court, Sabinus wittily adds:

Alas! these things
Deserue no note, confer'd with other vile,
And filthier flatteries, that corrupt the times:
When, not alone our gentries chiefe are faine
To make their safety from such sordide acts,
But all our *Consuls*, and no little part
Of such as haue beene *Praetors*, yea, the most
Of *Senators* (that else vse their voyces)
Start vp in publique *Senate*, and there striue
Who shall propound most abiect things, and base.

(I. 42-50)

Another equally significant comment on the ineffective role of the nobility is later voiced by Arruntius:

We,
That are the good-dull-noble lookers on,
Are only call'd to keepe the marble warme.
(III. 15-17)

In considering the contemporary meaning of *Sejanus*, a significant factor in the play's relation to Elizabethan and Jacobean politics is the considerable similarity between the central character of the play and the career of Sir Walter Raleigh. This analogy between these two figures has been overlooked by almost all critics of Jonson's play, who tended instead to find aspects of similarity between Jonson's play as the fall of Sejanus and the rise and fall of Essex in 1601.

An account of the career of Raleigh, both in prosperity and adversity, reveals interesting similarities with that of Sejanus. The Roman and the English figures were both close favourites of their rulers. They both enjoyed significant advancement and attained considerable favour. They were heads of personal guards to their sovereigns. Ambitious, proud, arrogant and purportedly anti-religious, they were both powerful yet exceedingly unpopular among favourites of lesser fortune and fellow country-men alike. And most significantly, they were both involved in attempts against their rulers, stood trial and were punished by order of the same rulers who brought them to power.

The fascinating career of Sir Walter Raleigh as an Elizabethan favourite deserves some detailed discussion. Having fought the Irish rebels in Munster in 1581, he returned to England in December 1581 and soon came under the Queen's attention and rose swiftly into eminence through her favours. In 1583, he and his brother, Carew Raleigh, were on a panel from which a committee was to be appointed to enquire into the state of the navy. He was also granted a monopoly of wines in the same year. In 1584 he was elected one of Devon's two M.P.s and was knighted by the queen in the same year. Later in the year he was given the use of Durham House in the Strand, where he kept forty men and forty horses in

attendance.⁷⁷ In March, 1584, Elizabeth granted him a licence for exporting broadcloth.

To meet the high expenses of his extravagance, Raleigh supplemented his income by interceding for condemned traitors. In 1586 he was paid £1000 by a friend of Anthony Babington, who had led an inept plot to assassinate Queen Elizabeth, in the hope that Raleigh would secure a royal pardon for him. There is no indication, however, that he interceded in the case, but one can reasonably surmise that he colluded with Elizabeth and revealed details of the conspiracy, confided to him by Babington's men. More reasonable is the assumption that Raleigh urged for the death sentence so he could inherit the conspirator's property. Bearing this on mind, Silius's following lines, spoken at the outset of Jonson's play, would have had topical meaning in 1603-England:

We burne with no black secrets, which can make
Vs deare to the pale authors; or live fear'd
Of their still waking iealousies, to raise
Our selues a fortune, by subuerting theirs.
(I. 15-18)

A few lines later Silius remarks that spies, in Tiberius's Rome, "can ... make guilty men; then beg /The forfeit lives, to get the livings" (I. 27-30), that is, to press for capital punishment so that the accusers themselves could inherit the property of their victims. Raleigh himself was to face similar confiscation of property in 1603. He is known to have attempted to kill himself to avoid the forfeit.⁷⁸ This practice was, apparently, much resented in England, for Edward Hext complained that "most comonly the simple cuntryman and woman ... are of opynyon that they wold not procure a mans death for all the goods in the world."⁷⁹

Queen Elizabeth granted Raleigh most of Babington's vast estates which had extended into five counties.⁸⁰ This sudden and incredible wealth, secured by mere favouritism, generated spite and envy amog Raleigh's peers, and indignation among the élite of his society. In 1601, he was paid a great amount of money for interceding to save the lives of some of the Essex conspirators. In 1587 he became Captain of the Queen's Guard -a post which kept him close to the Queen.

Raleigh's swift rise to power was accompanied by an intense and growing unpopularity among courtiers and commoners alike. In May, 1587, he was described by Sir Athony Bagot as "the best hated man of the world, in Court, city, and country."⁸¹

One point of similarity between Sejanus and Raleigh which deserves close attention is their pride and arrogance. Raleigh was totally indifferent to his unpopularity among the commoners. One of the popular anti-Raleigh songs of the day said:

Raleigh doth time bestride,
He sits 'twixt wind and tide,
Yet uphill he cannot ride,
For all his bloody pride.
He seeks taxes in the tin,
He polls the poor to the skin,
Yet he swears 'tis no sin.
Lord, for thy pity!⁸²

Close similarity to this song relating to the excessive pride of Jonson's character is found in Sejanus' speech in Act V:

Great and high,
The world knowes only two, that's *Rome* and I.
My rooffe receiues me not; 'tis air I tread:
And, at each step, I feel my' advanced head
Knocke out a starre in heau'n! Rear'd to this height,
All my desires seem modest, poore and sleight,
That did before sound impudent: 'Tis place,
Not blood, discernes the noble, and the base.
(V. 5-12)

The same notion of Sejanus's pride and desire for power which parallels Raleigh's pride and the popular song is offered by Sabinus:

And, now, the second face of the whole world.
The partner of the empire, hath his image
Rear'd equall with Tiberius, borne in ensignes,
Commands, disposes euery dignitie,
Centurions, Tribunes, Heads of provinces,
Praetors, and Consuls, all that heretofore
Rome's generall suffrage gaue, is now his sale.
The gaine, or rather spoile, of all the earth'
One, and his house, receiues.

(I. 217-25)

The last three lines, in particular, establish a considerable similarity with the last three lines of the song quoted above. Another passage which bears similarity with the general idea of pride is expressed by Silius:

Sejanus can repaire, if Iove should ruine
 He is the now court-god; and well applyed
 With sacrifice of knees, of crookes, and cringe,
 He will doe more than all the house of heau'n
 Can, for a thousand *hecatombs*. 'Tis he
 Makes vs our day, or night; Hell and *Elysium*
 Are in his looke: We talk of Rhadamanth,
 Furies, and fire-brands; but 'tis his frowne
 That is all these, where, on the aduerse part,
 His smile is more then e'er (yet) *Poets* fain'd
 Of blisse, and shades, *nectar*.

(I. 202-212)

One point of major importance which offers itself for comparison between Sejanus and Raleigh is their irreligiousness. This would suggest Jonson's intent of representing the Elizabethan courtier in the leading character of his Roman tragedy. Throughout Jonson's play, Sejanus shows himself, and is shown, as a despiser of religion and a follower of 'Fortune'. Proud, vain, and over-ambitious, he derides religion and praises fortune:

... What excellent fooles
 Religion makes of men.

(V. 69-70)

A few lines later, he shamelessly declares:

I know not that one deity, but *Fortune*

(l. 81)

In one of his soliloquies, he vainly boasts his courage and derides religion:

Tell proud Iove,
 Betweene his power, and thine, there is no oddes.
 'Twas onely feare, first, in the world made gods.

(II. 160-62)

And in Act Five, in his own house, he calls religion a "juggling mystery" (V. 193).

One of the underlying controversies about Raleigh during his life-time was his alleged atheism. In 1592, the Jesuit Robert Parsons made an attack on Raleigh's alleged "School of Atheism", which the latter held in his house, "wherein both moyses and our Saviour, the old and the new Testament, are jested at, and the

scholars taught, among other things, to spell God backward."⁸³ Raleigh's suspected atheism gained more force by his association with the dramatist Christopher Marlowe and the mathematician Thomas Hariot, both suspected atheists. That a close relation existed between the courtier and the dramatist is evidenced in Raleigh's "Answer" to Marlowe's famous poem "The Passionate Shepherd to His Love". In 1594, moreover, the Cerne Abbas Commission on Atheism heard allegations of atheism against Raleigh. The Rev. Nicholas Jeffries had also "heard by report of diverse that Sir Walter Raleigh and his retinue are generally suspected of atheism."⁸⁴ One Richard Charley, a suspected atheist, admitted that Marlowe told him that he had read the Atheist lecture to Sir Walter Raleigh and others."⁸⁵ Significantly, at his trial in 1603, Raleigh was called a "damnable atheist" by Sir Edward Coke, one of his judges, and Sir John Popham, another judge said he would not repeat the "heathenish, blasphemous, atheistical and profane opinions" which Raleigh was accused of uttering.⁸⁶ Although the taint of atheism on Raleigh is far from being justified by concrete evidence. In his writings -especially *The History of the World*- there is clear indication of his belief in God. Yet, the ill-fame of atheism clung to Raleigh's name even after his death.

Another interesting point of comparison between Sejanus and Sir Walter Raleigh is the similarity of the circumstances of their arrests and trials. As for the Roman favourite, his intention of marrying Livia, as the major step for him to assume full power in Rome, made Tiberius decide to bring about his downfall with the aid of another agent, Sertorius Macro. Taken by total surprise, Sejanus is summoned to the Senate, where he is arrested by Macro according to orders in a long and doubtful letter by Tiberius. Sejanus is thus stripped from his office and condemned to a horrible death as the populace tear him into pieces.

Raleigh's arrest and subsequent trial bear considerable similarity with Sejanus's downfall. King James hated Raleigh as the latter's rival, Robert Cecil, poisoned the King's mind against him out of spite and rivalry. Raleigh was a detested man in England, and King James, by destroying Raleigh, was ridding

himself of an ambitious and dangerous man, on one hand, and making a bid for his own popularity, on the other. In July, 1603, Raleigh, while waiting at Windsor to accompany the King's hunt, was ordered by Cecil to stay to be questioned by the Lords in connection with his alleged negotiations with D'Aremberg, minister of the rulers of the Netherlands. He was accused of conspiring, together with Cobham, in what was called the Bye Plot, to surprise and abduct the King. He was also accused of his implication in the Main Plot, with the intention of dethroning James and throning Arabella Stuart, with the help of Spain. A trick of a false letter by Raleigh was played on Cobham, who was led into believing that Raleigh had admitted Cobham's complicity in negotiations with D'Aremberg. Cobham, angry at Raleigh's accusation of him, accused his ally, and both were arrested. Raleigh's Lieutenant Kemys was also arrested (as Sejanus's guard Latiaris was arrested in the senate, V. 649). Soon, Raleigh was forced to resign his Wardenship of the Stannaries, and his Governorship of Jersey was declared forfeit. He was also deprived of all his Honours and possessions; he resigned his post of Captain of the Guards, and his London residence - measures closely similar to those Sejanus faces in the fifth act of Jonson's play:

We therefore desire that the offices he holds be first seized by the Senate, and himself suspended from all exercise of place or power- ... but till due and mature trial be made of his innocency, which yet we can faintly apprehend the necessity to doubt. If, conscript fathers, to your more searching wisdom there shall appear further cause -or of farther proceeding, either to seizure of lands, goods, or more- it is not our power that shall limit your authority, or your favour that must corrupt your justice.

(V. 619-635)

Though Raleigh was far from being completely innocent, the charges against him were based on hearsay and were motivated by the hatred he had caused during his years of influence. In his custody he was subjected to all kinds of humiliation. The Jury retired for fifteen minutes before finding Raleigh guilty. Popham's last condemnation of Raleigh bears a striking similarity with the ill-fate of Sejanus at the end of the play under question:

Since you have been found guilty of these horrible Treasons, the judgment of this Court is, That you shall be had from hence to the place whence you came, there to remain until the day of execution; and from thence you shall be drawn upon a hurdle through the open streets to the place of execution, there to be hanged and cut down alive, and your body shall be opened, your heart and bowels plucked out, and your privy members cut off and thrown into the fire before your eyes; then your head to be stricken off from your body, and your body shall be divided into four quarters, to be disposed of at the King's pleasure. And God have mercy upon your soul!⁸⁷

The same kind of savagery confronts Sejanus at the end of the play, as reported by Terentius (Act V, 805ff.). The question of the justice of Raleigh's and Sejanus's trials is among the points of similarity between the play and the major political event of 1603. Lepidus's criticism of the bestiality of the populace and his statement that "They follow fortune, and hate men condemned, /Guilty or not (V. 799-800), in addition to Nuntius's account of the people's grief for the dead Sejanus (V. 884-87) is analogous to the end of Raleigh's trial and the scandal of its injustice. One of Raleigh's judges, Sir Francis Gaudy, said on his deathbed that "never before had the justice of England been so depraved and injured as in this Trial."⁸⁸ "Some of the jury," said Francis Osborne, "were after he was cast, so far touched in conscience as to demand of him pardon on their knees."⁸⁹

In conclusion, Jonson's *Sejanus* proves, under a close study, to be one of the finest examples of Jacobean political plays for the accurate representation it offers of the age. The play also shows how drama was in the early seventeenth century, as television and newspapers are in the present day, the main form of propaganda through which dramatists were determined to express their political views of the age despite the restrictions which the authorities imposed upon this effective literary form. Though it is impossible to argue that Jonson deliberately wanted his play to reflect upon specific personages and events in his own age, one can reasonably suggest that the dramatist chose to dramatise Tacitus's accounts of imperial Rome for the similarity they bore with Jonson's England. *Sejanus* proves, upon an examination of the text, of the major classical source and of early seventeenth-century politics, to be more a political play on early Jacobean England than it is a

historical one on imperial Rome. However, Jonson's decision, or obligation, to alter the acted version of *Sejanus* drastically, deprives us of all hope to establish beyond any doubt the offensive parts or the actual cause of Northampton's wrath against the dramatist. All that remains in this regard is mere speculation, and the issue over the "treason" charges against Jonson remains an open question.

NOTES

1. Jonson refers to the play as having "suffer'd no lesse violence from our people here, then the subiect of it did from the rage of the people of Rome ..." See H. & S., *Ben Jonson*, IV, 349.
2. H. & S., IX, 191, citing Wagner in *PQ*, VII (1928), 306-8.
3. William Anderson, *The Lives and Reigns of Mary Queen of Scotland and James the Sixth, King of Scotland* (1656), p. 22.
4. S. R. Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War, 1603-1642* (London, 1887-1904), 1, pp. 93-4.
5. Anne Barton, *Ben Jonson, dramatist* (London, 1984), p. 12.
6. *Ibid.*
7. For interesting studies on late Elizabethan politics, including the succession issue and the factional rivalry, see Joel Hurstfield, 'The Succession Struggle in Late Elizabethan England', in *Elizabethan Government and Society*, ed. S. T. Bindoff, J. Hurstfield, and C. H. Williams (London, 1961), pp. 369-96, and J. E. Neale, 'The Elizabethan Political Scene', in *Essays in Elizabethan History* (New York, 1958), 59-84.
8. *The Letters of John Chamberlain*, ed. Norman Egbert McClure (Philadelphia, 1939), I, pp. 67-68; quoted by Hurstfield, *op. cit.*, p. 373.
9. See Hurstfield, *op. cit.*, p. 378.
10. Stuart M. Kurland, '"No innocence is safe,/When power contests": The Factional Worlds of Caesar and Sejanus', *Comparative Drama*, 22 (1988-89), 61.
11. Grant, p. 160.
12. Grant, p. 176; the italics are mine.
13. John Gordon Sweeney III, 'Sejanus and the People's Beastly Rage', *ELH*, 48 (1981), 75.
14. B. N. De Luna, *Jonson's Romish Plot*, p. 8.
15. John Palmer, *Ben Jonson* (London, 1934), p. 72.
16. Jonas A. Barish (ed.), 'Introduction,' *Sejanus* (New Haven and London, 1965), p. 16.
17. A. R. Dutton, 'The Sources, Text, and Readers of *Sejanus*: Jonson's "Integrity in the Story"', *SP*, 75 (1978), 195.
18. R. Dutton, *Mastering the Revels: The Regulation and Censorship of English Renaissance Drama* (London, 1991), p. 12.
19. *Ibid.*, p. 164.
20. This analogy has been first suggested by Philip J. Ayres, 'Jonson, Northampton, and the "Treason" in *Sejanus*', *MP*, 80 (1983), 356-63. The same article has been recently published, in a shorter form, in Ayres's 'Introduction' to his Revels edition of *Sejanus* (Manchester, 1990), pp. 16-22.
21. Quoted from *The Compact Edition of the Dictionary of National Biography*, complete text (Oxford, 1975), 1, p. 1014, by Philip Ayres, 'Jonson, Northampton, and the "Treason" in *Sejanus*', 358.
22. Tacitus, *The Annals of Imperial Rome*, edited and translated into English with an introduction by Michael Grant, revised edition (London, 1971), pp. 166-67.
23. See Philip Edwards, *Sir Walter Raleigh* (London, 1953), p. 29.
24. See Edward Thompson, *Sir Walter Raleigh* (London, 1953), p. 189.
25. Sir Harry L. Stephen, 'The Trial of Sir Walter Raleigh', *Transactions of the Royal Historical Society*, fourth series, 2 (1919), 179.
26. Samuel R. Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War, 1603-1642* (London, 1887-1904), 1, p. 138.
27. Quoted by Philip Edwards, *Sir Walter Raleigh*, p. 28.
28. *Ibid.*
29. Quoted by Edward Thompson, *Sir Walter Raleigh* (London, 1953), p. 180.
30. *Ibid.*, p. 183.
31. *Ibid.*, p. 184.
32. *Ibid.*, pp. 66-67.
33. Quoted by Thompson, *op. cit.*, p. 190.

34. *Ibid.*, p. 193; emphasis added. Campion is Edmund Campion, a noble, who was tried, together with Udal, in what is called "religious trials" by Anderson, shortly before this period (See Thompson, *op. cit.*, p. 188).

35. *Ibid.*, p. 189.

36. *Ibid.*

37. *Ibid.*; quoted also in a letter by Cecil to Winwood, before the trial: *Always he [Raleigh] shall be left to the law, which is the Right all men are born unto.*" (Sir Ralph Winwood, *Memorials of Affairs of State in the Reigns of Queen Elizabeth and King James I*, ed. E Sawyer (the Winwood Papers), ii. 8; original italics).

38. Thompson, *op. cit.*, p. 189.

39. See Philip Ayres, *op. cit.*, p. 362.

40. *Ibid.*

41. *Ibid.*, p. 185.

42. Sir Harry L. Stephen, 'The Trial of Sir Walter Raleigh', *Transactions of the Royal Historical Society*, 4th ser., II (1919), 179; quoted by Philip Ayres, *op. cit.*, 186-87.

43. See J. P. Kenyon, *Stuart England* (London, 1978), p. 101.

44. William Hazlitt, *Lectures on the Dramatic Literature of the Age of Elizabeth*, third edition (London, 1840), pp. 155-56.

45. Of the composition of *Volpone* (1606), the "Prologue" reveals, Jonson,

'Tis knowne, fiue weekes fully pen'd it:
From his owne hand, without a co-adiutor,
Nouice, iourney-man, or tutor.
(ll. 16-18; H. & S., V, 24)

46. See Philip Edwards, *op. cit.*, p. 14.

47. *Ibid.*, p. 148.

48. *Ibid.*, p. 172.

49. Jonson told Drummond that while in France with Raleigh's son, the latter, "being knavishly jnclyned, among other pastimes"

caused him to be Drunken & dead drunk, so that he knew not wher he was, thereafter laid him on a Carr which he made to be Drawen by Pioneers through the streets, at every corner showing his Governour streetched out & telling them that was a more Lively jmage of ye Crucifix then any they had, at which Sporte young Raughlie's mother delighted much (saying, his father young was so inclined) though the father abhorred it.
(*Conv.Drum.*, ll. 296-305; H. & S., I, 140-41)

50. "To the Readers", *Sejanus* in H. & S., *Ben Jonson*, IV. 350-51.

51. The postscript is appended to Jonson's "Argument", in H. & S., *Ben Jonson*, IV, 353 n. This statement does not appear in the Folio.

52. Middleton's *Game at Chess* in 1624 is a prime example.

53. W. D. Briggs (ed.) *Sejanus* (Boston, 1911), p. 203.

54. *Ibid.* Briggs continues: "The allusion to the plot would mean that the play was published by Thorpe between November 5, 1605, and March 1, 1605-6, at least a year later than its entry in the Stationer's Register (November 2, 1604, for Blount)" (p. 203).

55. B. N. De Luna, *Jonson's Romish Plot* (Oxford, 1967), p. 27.

56. See D. M. Palliser, *The Age of Elizabeth* (London, 1983), p. 318.

57. S. R. Gardiner, *History of England, 1603-1642*, 1, 87.

58. See J. E. Neale, *Queen Elizabeth I* (London, 1934, rept. 1988), p. 310.

59. Quoted by Philip Edwards, *Sir Walter Raleigh* (London, 1953), p.5.

60. See R. C. Munden, 'James I and "the growth of mutual mistrust": King, Commons, and Reform 1603-1604', in *Faction and Parliament*, edited by Kevin Sharpe (Oxford, 1978), esp. pp. 48-49.

61. *Ibid.*, p. 54.

62. Quoted by Edward Thompson, *Sir Walter Raleigh* (London, 1935), p. 170.

63. See Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War, 1603-1624*, 3 vols. (London, 1887-1904), vol. 1, p. 98.

64. Quoted by Thompson, *op. cit.*, p. 180.

65. Quoted in *ibid.*

66. See *ibid.*, p. 161.

67. On May 7, 1603, while a guest at Cecil's house at Theobalds, James called in Raleigh's wines-licensing patent, granted to him by Elizabeth. Another blow Raleigh received from King James was when the latter had him summoned to the Council Chamber at Whitehall, where the Lord President notified him that he was replaced as Captain of the Guard by a Scotsman, Sir Thomas Erskine (See Thompson, *op. cit.*, p. 174).

68. This fact about Raleigh's opposition to Spain and his suggestion to the peace-loving James of raising two thousand men and invading Spanish territory may have been another item in James's reservations about Raleigh. To one of Raleigh's biographers, Edward Edwards, "such an offhand readiness to face perils ... would naturally seem to carry within it some germ of possible treason." (*Sir Walter Raleigh*, i. 365)

69. John Bruce, *Correspondence of King James VI of Scotland with Sir Robert Cecil and Others in England* (Camden society, 1861), no. ii, p. 18; quoted by E. Thompson, *op. cit.*, 167.

70. See Thompson, *op. cit.*, p. 168.

71. John Bruce, *op. cit.*; quoted by Thompson, *op. cit.*, p. 166.

72. John Aubrey, *Brief Lives*, edited by A. Clark, 2 vols. (1898), ii. 186; quoted by Thompson, *op. cit.*, p. 171. This statement, if true, would make sense of the speculation that Northampton's accusation against Jonson over *Sejanus* may have stemmed from Northampton's discovery of a possible analogy between the trial of Silius and that of Raleigh. This may have entailed associating Jonson and Raleigh with Republican sentiments in opposition to the royal system of government. In *Sejanus*, of course, criticism of "princes" is a recurrent theme -a fact which might have implicated Jonson in the charge of "treason." Another statement by Raleigh is also worth mentioning at this stage. Aubrey reported that, when James was bragging how he could have secured the English throne by force, Raleigh replied: "Would God that had been put to the trial!" When asked why, Raleigh ambiguously, yet wittily retorted: "Because Your Majesty would then have known your friends from your foes" -an explanation "never forgotten or forgiven" (See Thompson, *op. cit.*, p. 172).

73. Jonson A. Barish (ed.), *Sejanus* (New Haven and London, 1965), p. 193, n. 303.

74. Quoted by Swinburne and cited as such by H. & S., *Ben Jonson*, II, p.5.

75. Philip Edwards, *Sir Walter Raleigh* (London, 1953), p. 24.

76. Barry Coward, *The Stuart Age: A History of England 1603-1714* (London, 1980), p. 89.

77. See Thompson, *op. cit.*, p. 28.

78. See Thompson, *op. cit.*, p. 182.

79. *T.E.D.*, ii. 340ff; quoted by Palliser, *op. cit.*, p. 313.

80. See Thompson, *op. cit.*, p. 29.

81. *Ibid.*, p. 31.

82. *Ibid.*, p. 151.

83. *Ibid.*, p. 73.

84. Quoted by Philip Edwards, *op. cit.*, p. 56.

85. Quoted by Thompson, *op. cit.*, p. 70.

86. *Ibid.*, p. 56.

87. *Ibid.*, p. 198.

88. *Ibid.*

89. Quoted by Thompson, *op. cit.*, p. 199.

CHAPTER FIVE

Entr'acte

"To Teach by Praising": Jonson's New Approach to Jacobean Politics after *Sejanus* and the Court Masque 1604-1611

One can hardly overstress the extent of Jonson's disappointment at the initial theatrical failure of *Sejanus* in 1603/4. All the diligence and the classical erudition associated with the play seem to have been disturbingly lost on the Jacobean audience. Neither did the performance by the highly reputed King's Men help to alleviate the hostility of the play's first audience at the Globe Theatre. Ironically, the play's premiere also proved unpropitious at a crucial moment in Jonson's career when the poet was undoubtedly hoping to impress the new monarch who himself had poetic and classical predilections. Further, Jonson's citation before the Privy Council to answer Northampton's charges of "popery and treason", whether justified or otherwise, was politically damaging to Jonson's image and prospects as a court poet. At a time when the favour of influential government figures was sought and bought at a high price, Northampton's enmity during the frenzied scramble for royal favours must have dealt Jonson's hopes a serious blow. After all, tragedy, to judge by the contemporary popular response to *Sejanus*, hardly had "a more kind aspect" than his earlier works of comedy (*Poetaster*, "Apologeticall Dialogue", l. 223).

An early sign of Jonson's dim prospects as a court poet occurred when the commission for the first Jacobean masque for Twelfth Night in 1603/4 went to Samuel Daniel, a mere novice in the genre, according to Jonson.¹ Still worse, Jonson and his friend Sir John Roe, a wealthy heir, were ejected from Hampton Court by Lord Chamberlain Suffolk, another member of the Howard family,

allegedly for misbehaviour while attending a court performance of Daniel's masque *The Vision of the Twelve Goddesses* on 6 January 1604 (*Conversations*, in H. & S, 184, 155). The event was immortalized in a consolatory letter from Roe to the disappointed poet:

It is no fault in thee to suffer theirs.

...

Forget we were thrust out. It is but thus
God threatens Kings, Kings Lords, as Lords doe us.
("Sir John Roe to Jonson", ll.6; 11-12; H. & S., *Ben Jonson*, XI, 371)

Roe must have accurately probed Jonson's sense of disappointment when he addressed the erudite poet:

Let for a while the times unthrifty rout
Contemne learning, and all your studies flout.
(*Ibid.*, ll. 19-20)

But if failure has a single advantage, it is experience. And Jonson seems to have benefited by such an experience. To counter the result of the ominous premiere of *Sejanus*, Jonson, insofar as criticizing the vice and folly of his time through his literary work was concerned, had to change his tactics, though not his principles. Recent events at court must have made a considerable influence on Jonson's decision to adapt his approach to Jacobean politics. The plot by the unscrupulous Cecil and Northampton against Raleigh, and Northampton's accusations against Jonson, a fellow Catholic, undoubtedly taught the poet that in the field of politics, morals, unaided by astuteness, cannot survive, let alone score a triumph over vice and intrigue. It is not hard, then, to sense Jonson's later bitterness at the fact that favours and patronage at court went to those least worthy of them.² To thrive under the new king, Jonson had to couple his moral messages with political shrewdness and to cultivate his self-image where it mattered most: the court.

To this versatile poet, the means to achieve this aim were not lacking. His relative aloofness from the favours of the previous monarch meant that he would with considerable ease be able to ingratiate himself with the new king. The tone of his didacticism and cynicism, apparent in *Sejanus* had, by necessity, to be

alleviated. Jonson must have genuinely believed with Sabinus of the first Roman tragedy that one should only "practise what is fit, as what is needful," realising that "It is not safe t'enforce a sovereign's ear," as "Princes hear well, if they at all will hear" (*Sejanus*, I. 432; 433-4). After the public performance of *Sejanus*, Jonson's priority was, one may assume, to gain access to the King's "ear". During the intervening years between *Sejanus* and *Catiline*, Jonson, with one major exception, was to heed this conviction as closely as possible.³

To the resourceful Jonson, the masques and non-dramatic poetry were two viable possibilities in his bid for royal attention. Eulogy, which did not display abject sycophancy, was a means which Jonson deftly utilized in his approach to the new king and to the influential among his entourage. One common interest which King James shared with Jonson and which the latter masterfully exploited was poetry. Before his accession to the English throne in 1603 James had already published two volumes of his own poetry. To Jonson the poetic link between himself and the monarch was worth building upon. One of his early epigrams, IV, thus celebrates James's dual talent as monarch and poet:

HOW, best of Kings, do'st thou a sceptre beare!
 How, best of *Poets*, do'st thou laurell weare!
 But two things, rare, the FATES had in their store,
 And gave thee both, to shew they could no more.

.....
 Whom should my *Muse* then flie to, but the best
 Of Kings for grace; of *Poets* for my test?⁴

Whether Jonson genuinely admired the quality of James's poetry is open to question.⁵ However, Jonson repeated his praise of James at every possible occasion. His Epigram XXXV commends James's "happiest raigne" (l. 4; H. & S., *Ben Jonson*, VIII, 37), and in Epigram XXXVI, "To the Ghost of Martial", he astutely denies that he ever adulates James:

MARTIAL, thou gau'st farre nobler *Epigrammes*
 To thy DOMITIAN, than I can my IAMES:
 But in my royall subiect I passe thee,
 Thou flattered'st thine, mine cannot flatter'd bee.
 (H. & S., *Ben Jonson*, VIII, 38)⁶

In the meanwhile, the opportunity to introduce himself and his services to the new monarch had become available to Jonson. James's royal entry into London, having been postponed for almost a year because of the plague, was finally set on 15 March 1604. The City of London had wished to welcome the King with a grand pageant of triumphal arches and dramatic tableaux that would not in any way be inferior to the kind of civic pageants so much enjoyed by Queen Elizabeth. Jonson was subsequently called upon to prepare the first and the last of the seven triumphal arches, together with speeches as part of the celebrations for the royal occasion. The task of preparing the remaining arches and their speeches went to Thomas Dekker. Jonson contributed with what he called his *Part of the King's Entertainment in passing to his Coronation*.⁷

The first arch that greeted King James at Fenchurch Street was decorated on the top with a panorama of the City of London and carried the inscription "Troynovant": the Trojan origins of Britain are emphasized and James, by implication, is hailed into his capital as a descendant of Brutus and a unifier of the long-divided kingdom. The structure of the arch (designed by Jonson) was also decorated with a variety of allegorical figures. Prominent among these were the Genius of the City and Father Thames, in addition to six daughters of the Genius, whom Jonson named as Gladness, Veneration, Promptitude, Vigilance, Loving Affection and Unanimity. These figures were all represented not by statues but by living individuals seated on what must have been a very large monument. The only two speaking parts were those of the Genius and the Thames, who exchanged long speeches to the King, Queen Anne and their young Prince.

In his opening speech of "Gratulation," Genius Urbis, "a person attyr'd rich, reuerend, and antique" (l. 70), summed up the ubiquitous jubilation at the King's arrival in his capital:

Time, Fate, and Fortune haue at length conspir'd,
To giue our Age the day so much desired.
(ll. 270-71)

These lines, far from blatantly flattering the new King, reflected the popular mood of relief at the accession to the English throne of a male and fertile sovereign, supplanting the barren Tudors and putting an end to the old problem of succession. James's coronation, the Genius adds, is an auspicious event that has broken "The Roman, Saxon, Dane, and Norman yoke" (l. 275) and now heralds "the greatest, perfectest, and last" era in British history (l. 292). In welcoming the erudite monarch into his kingdom with these lines, Jonson, as one critic has pointed out, emulates Virgil's lines in the Fourth Eclogue, which celebrates the outset of the Augustan era: "The last of the Cumaean song is come, the great series of the ages is coming into being anew."⁸

Turning to young Henry as he stood next to his father, Genius addresses the Prince as the "springing glory" of James's "godlike race" (l. 341) and hails him as "His countries wonder, hope, loue, ioy and pride" (l. 342). King James is in the meanwhile praised as a "broade spreading Tree" (l. 344) canopying the whole nation. "And from this branch," Genius prays,

may thousand branches more
 Shoote o're the maine, and knit with euery shore
 In bonds of marriage, kindred, and increase;
 And stile this land, the navill of their peace.
 (ll. 346-49)

The tree imagery, previously employed in *Sejanus* in a pessimistic vein, is used here to signify hope for the future, to emblemize the continuity of the Stuart line of monarchs, and to embody James's aspiration to extend England's influence in Europe by marrying his heirs to both Catholic and Protestant scions within the ruling European monarchies. The underlying theme of these lines is clearly James's role in achieving an enduring peace, not only in Britain, but also in Christendom as a whole.

Jonson's last arch at Temple Bar carried the motto "Redeunt Saturnia Regna" and its message was "to show that now those golden times were returned again, wherein Peace was with us so advanced, Rest received, Liberty restored, safety assured, and all Blessedness appearing" (H. & S., VII, 100). This arch ushered

James out of London into the royal city of Westminster. As he left the City of London, passing beneath a rainbow across the Strand, James was hailed as a new Augustus, restoring the Golden Age and heralding a long era of peace and glory.

Four days after the Coronation ceremonies, on 19 March 1604, Jonson addressed King James with a "Panegyre on the Happy Entrance of James ... to His First High Session of Parliament". In this "brief panegyre" Jonson adopts the form of address used by classical authors to honour Roman emperors on state occasions, and blends praise, congratulations and good counsel. On 1 May 1604, Jonson was again offering his poetic services to the royal household when he wrote a May Day entertainment for the royal couple during their visit to Sir William Cornwallis's house at Highgate. The *Private Entertainment of the King and Queen* comprised two parts: a welcoming speech in the morning recited by the household gods, and the major entertainment which occurred in the evening "after dinner". The latter part was introduced by the horned Pan, god of pastures and hunting. Unaware of the identities of the royal couple, Pan, described as "rude ynough, though otherwise full of salt" (l. 201), jests with James's well-known loathing for women but praises him as a hunting man:

Sure, either my skill, or my sight doth mock,
Or this lordings looke should not care for the smock;
And yet he should love both a horse and a hound,
And not rest till he saw his game on the ground.
(ll. 219-22)

Turning his attention to Queen Anne, Pan humourously comments on her love for drinking:

Here mistresse; all out. Since a god is your skinker:
By my hand, I beleeve you were borne a good drinker.
They are things of no spirit, their blood is asleepe,
That, when it is offred 'hem, do not drinke deepe.
(ll. 225-28)

In making these daring references to the King's and Queen's private follies in this entertainment Jonson was no doubt attempting to create an atmosphere of informality in which close links between the poet and the royal couple could be established and cultivated. The references could have angered any monarch except

James, for as Jonson deftly makes the "rude" Pan conclude his speech to the King: "But still you triumph, in the facilitie, over the ridiculous pride of other Princes; and for ever live safe in the love, rather than the feare, of your subjects" (ll. 273-75). Very cleverly, Jonson emphasized James's humanity and good sense of humour and at the same time attempted, by engaging in such friendly banters, to make himself as close as possible to the new monarch.

Jonson's favourable attitude to the new king and his court soon yielded the sweet fruits of royal favour. Before the end of 1604 Jonson, not Daniel, won a commission to produce Queen Anne's masque for the Christmas festivities at court. Though Jonson had few influential friends at the new court, two specific realities at this time proved favourable to him in gaining the commission to produce the Queen's masque. First, Anne was like Jonson a Catholic. Second, Jonson's patroness Lady Bedford, who had secured the previous year the commission for Daniel's masque *The Vision of the Twelve Goddesses*, was the Queen's chief lady-in-waiting and had a determining influence in organizing the Queen's masques. The court masque was a relatively new art form, which Jonson was to excel at and develop to his own credit. It also offered the poet an extra source of income as well as an access to the influential of the nobility whose patronage Jonson was no doubt aiming at winning. The court also provided Jonson with an array of educated and cultivated figures, (such as the Sidneys), whose help Jonson would need when he was in trouble with the authorities.

Jonson's first proper masque is *The Masque of Blackness*. Designed by Inigo Jones, it was staged on 6 January 1605, and cost the Exchequer £300.⁹ It was a year earlier when Queen Anne had commissioned Jones and Jonson to invent a masque in which she and her ladies could appear and mark the celebration at court of Twelfth Night. In his introduction to the masque, Jonson reveals that "it was her majesty's will to have them [the masquers] blackamores at first."¹⁰ *The Masque of Blackness* is Jonson's celebration of royal power and virtues through the symbol of

light. The focal point of the masque, as the opening song implies, is that the daughters of Niger, the black Ethiopians - "though but black in the face" -

Yet are they bright,
And full of life and light,
To prove that beauty best
Which not the colour but the feature
Assures unto the creature.

(ll. 82-87)

Though Niger claims to his daughters that blackness is a sign of "perfect'st beauty" (l. 119), the Ethiopian girls are dissatisfied with their colour. They are told by the moon to seek a land

where bright Sol, that heat
Their bloods, doth never rise or set,
But in his journey passeth by
And leaves that climate of the sky
To comfort of a greater light,
Who forms all beauty with his sight.

(ll. 165-70)

Having passed through three "princedomes" in their search for the promised land of light, Niger's daughters finally arrive in "Britannia", a land

Ruled by a sun that to this height doth grace it,
Whose beams shine day and night, and are of force
To blanch an Ethiop, and revive a cor[p]se.
His light sciential is, and, past mere nature,
Can salve the rude defects of every creature.

(ll. 223-27)

In celebrating the royal power of King James, Jonson exploits in this masque the symbol of light to associate James's grace with that of the sun and the moon. This analogy achieves Jonson's purpose of attributing to the King a power of perfection no less effective than the two powers which govern the masquers, and even more temperate than the sun (l. 234). The sun is given the attribute of being both the judge and cause of beauty, and the moon, (the goddess Diana-Aethiopia), is given the attribute of brightness. Even greater than the power of both is that of King James, who, in Jonson's fable, is not associated with the moon, which borrows its light from a greater source, but with the sun, the major source of light. Though, taken at face value, the above lines may smack of flattery and exaggeration, the figurative meaning is unmistakable. James is the source of power in his kingdom

and the fount of grace for his people. His power is evident in his realm, manifesting itself day and night in the King's bounty on his subjects. The King's favours can, therefore, beautify those of imperfect nature. Moreover, the King's amnesty to subjects who have committed evil deeds can save their lives which, in such circumstances, can be compared to corpses. To Jonson's court audience, the symbolic statements of his masques were intelligible as they were commonplaces of kingship and were to occur in different masques to honour the monarch. The celebration of the King's virtues, though not without its apparent hyperbole, formed part of the standard received ideas of the masque audience. Indeed, the symbolic statements about the King were conceived as representing any king portrayed in his ideal office.¹¹

Though busy as he was during this time in establishing himself as a writer of court entertainments, Jonson found occasions to maintain his links with the public theatre. Within the same year he collaborated with Marston and Chapman on *Eastward Ho!* This play, a fine example of city comedy at which both Marston and Jonson particularly excelled, uncovers the vices and superficialities of London life and reveals the causes and effects of social decline. *Eastward Ho!* went even a step further and angered people in high offices as it contained satirical remarks on the Scots, at a time when James's court teemed with them. Sir James Murray, according to Jonson, complained of the allegedly offensive part to King James. Murray's brother, Sir John Murray, was groom of the King's bedchamber; he may have felt offended by a reference in the play to grooms accused of sycophancy and indulgence (II. ii. ll. 75ff.). Jonson allegedly told Drummond that "he was delated [informed upon] by Sir James Murray to the king for writing something against the Scots in a play Eastward hoe" (*Coversations*, H. & S., *Ben Jonson*, I, 140). In the wake of James's accession to the English throne, many Scots followed their king south, seeking favour and influence. Both the capital and the court were soon swarming with what the majority of Englishmen considered parasites, plundering the wealth of their country.

Eastward Ho! portrays Virginia (London) as the Mecca for adventurers and wealth-seekers. Quicksilver, an apprentice, announces his intention to seek a place at court, "another manner of place for maintenance, I hope, than the silly City!" (II. ii. ll. 54-5). Having a place at court, he maintains, is safer than being a merchant, trusting one's wealth in ships which are "but tennis-balls for the winds to play withall ... Tossed from one wave to another." (II. ii. ll. 59-60) His mistress Sindfey, however, retorts that the court has its own hazards:

the seas, you say, are uncertain; but he that sails in your court seas shall find 'em ten times fuller of hazard; wherein to see what is to be seen is torment more than a free spirit can endure. But when you come to suffer, how many injuries swallow you! What care and devotion must you use to humour an imperious lord: proportion your looks to his looks, [your] smiles to his smiles, fit your sails to the wind of his breath!
(II. ii. ll. 65-72)

There can be little doubt that the above lines are Jonson's as they parallel the theme of lines 4-19 in Act One of Jonson's *Sejanus*. In particular, lines 69-72 of the above passage closely correspond with the following lines of the same tragedy: [Sejanus's clients can]

Laugh, when their patron laughs; sweat when he sweates;
Be hot, and cold with him; change euery moode,
Habit, and garbe, as often as he varies;
Obserue him, as his watch observes his clocke;
And true, as turkise in the deare lords ring,
Looke well, or ill with him: ready to praise
His lordship, if he spit, or but pisse fair,
Haue an indifferent stoole, or breake winde well;
Nothing can scape their catch.
(*Sej.*, I. ll. 33-41)

In *Eastward Ho!* Virginia is cynically described by Seagull, a sea-captain, as a place inhabited only by "a few industrious Scots, perhaps, who indeed are dispersed all over the face of the whole earth," and for whom

there are no greater friends to Englishmen and England, when they are out on't, in the world, than they are. And for my part, I would a hundred thousand of 'em were there; for we are all one countrymen now, ye know; and we should find ten times more comfort of them there than we do here.
(III. iii. ll. 38-45)¹²

Other references in the play were also found to be particularly offensive to James himself, criticizing his policy of indiscriminate sale of honours in order to replenish

his depleted treasury. For instance, Sir Petronel Flash, a newly-created knight, is ridiculed by a "Gentleman" for having "stole[n] his knighthood o' the grand day for four pound, giving to a page all the money in's purse" (IV. i. 169-71). "The grand day," as Lawrence Stone in *The Crisis of the Aristocracy* (1965) points out, was the day of King James's coronation, 23 July 1603, when 432 knights were created at a single session.¹³ Another "Gentleman" even mimicks James's Scottish accent blatantly, referring to the unwise and lavish creation of honours: "I ken /the man weel, he's one of my thirty-pound knights" (IV. i. 167-68). The topic of Scottish royal favourites was the source of popular discontent¹⁴ and contemporary jests. In an Appendix to his edition of the play, C. G. Petter quotes an anonymous ballad, entitled "Verses upon the order for the making Knights of such persons who had £40 per annum, in King James the First's time". The ballad cynically invites "farmers", "Carters, ploughmen, hedgers, and all" (ll. 1; 2) to leave their "rustical" professions and to "Come all to Court, and be made Knights" (ll. 4; 8). The ballad also sneeringly announces that whoever "hath forty pounds per annum /Shall be promoted from the plough" as "Honour is sold so dog-cheap now" (ll. 0-10; 12). The anonymous author then concludes by lamenting the deteriorating value of knighthoods and makes a scathing attack on the unwise profusion of the title:

Knighthood, in old time, was counted an honour,
Which the blest spirits did not disdain;
But now it is used in so base a manner,
That it's no credit, but rather a stain.

(ll. 17-20)¹⁵

Eastward Ho!, not surprisingly, stirred James's wrath, and Jonson found himself again in direct confrontation with the authorities. Consequently, the play, after its production by the Children of the Queen's Revels at the Blackfriars was banned by royal order. Further, those responsible were sought to face charges of sedition. Of Jonson's two co-authors, Marston managed to escape to London and Chapman was arrested. In an impressively gallant move, Jonson, as he later told Drummond, "volunteerily imprisoned himself". Jonson and his co-prisoners, including a few actors, almost faced a severe punishment, for "the report was that

they should then have their ears cut, and noses" (H. & S., *Ben Jonson*, I, 140). However, thanks to the two dramatists' noble friends, the affair was concluded without serious consequences, as Jonson and Chapman were set free.¹⁶

In the autumn of 1605 Jonson published the first quarto of *Sejanus*, now re-written after the parts by the "second pen" had been replaced by those of his own. As has been seen above, a number of Jonson's friends, such as Chapman, Hugh Holland, Marston, William Strachey and others, contributed commendatory poems praising the high qualities of the play. In "The Argument", prefixed to the 1605 quarto edition of *Sejanus*, Jonson also included a cautious passage which made an allusion to the recent Gunpowder Plot:

This do we aduance as a marke of Terror to all *Traytors*, & *Treasures*; to shewe how iust the *Heauens* are in powring and thundring downe a weighty vengeance on their vnnatural intents, euen to the worst *Princes*: Much more to those, for guard of whose Piety and Vertue, the *Angels* are in continuall watch, and *God* himself miraculously working.

("The Argument," *Sej.*, in H. & S., IV, 353 n.)

Having been in trouble over the play, Jonson, no doubt, deemed it necessary to include such a note to allay the authorities' displeasure. This cautious note was also crucial after an abortive plot against James himself. Jonson was keen not only to show his patriotism and his allegiance to James, but also to discourage plots against a constitutional monarch in general. (In the Folio edition of *Sejanus* in 1616, the passage already quoted disappears from the "Argument", as the need for its inclusion was apparently redundant.)

Towards the close of 1605 Jonson's services were sought by the Jacobean authorities in a matter of a grave nature. In November of that year the dramatist was taking part in a government-sponsored activities in the aftermath of the abortive Gunpowder Plot earlier that year. Jonson was no doubt keen to show his patriotism as well as his willingness and enthusiasm to serve both his King and his country at such a crucial time. Following the fortuitous discovery of the plot, the Jacobean government set out to unravel the main objective of the attempt and to track down the conspirators. Interrogation and torture of Guy Fawkes, the main plotter,

yielded little information. In such circumstances, Jonson, a Catholic of the dangerous kind, (being a convert), was thus a natural suspect. Less than a month before the day of the plot, 5 November, he was a guest at a supper party at a house in the Strand given by the leading conspirator, Robert Catesby (H. & S., *Ben Jonson*, I, 578). Also present were Thomas Winter, a principal in the plot, his brother-in-law John Ashford, Henry Lord Mordaunt and Francis Tresham. Whether the government agents made any connections between Fawkes, who gave the false name of John Johnson, and Ben Jonson, whose surname was then spelt "Johnson", there is no evidence.

Jonson appeared before the Privy Council on 7 November. No charges were made against him, but he was commissioned, because of his Catholic faith and his friendly links with some of the suspects in the plot, to make contacts with a Catholic priest and to act as an intermediary in order to bring this man before the Council. Accordingly, Jonson was supplied with a warrant to help him achieve his mission:

'7 November, 1605' ----

'A warrant unto Benjamin Johnson to let a certaine priest knowe, that offered to do good service to the State, that he should securely come and goe to and from the Lords, which they promised in the said warrant upon their honours.'

(H. & S., *Ben Jonson*, I, 203)

Wishing to prove his loyalty as an English subject, albeit a Catholic in faith, especially after the *Eastward Ho!* affair, Jonson seized the opportunity with genuine honesty. However, his efforts were to prove fruitless. The priest concerned failed to appear, probably for reasons of lack of trust at that sensitive period. On 8 November Jonson thus reported to Salisbury, the man in charge of the investigation, his regrettable failure. The result was no doubt as disappointing to Jonson himself as to the Jacobean authorities. As a consequence, the dramatist bitterly predicted that all Catholic priests were "enweaved" in the Plot and regretted their non-cooperation:

For my selfe, if I had bene a Priest, I would haue put on wings to such an Occasion, and haue thought it no aduenture, where I might haue done (besides his *Maiesty* and my Country) all Christianity so good service.

And so much I have sent to some of them [Catholic priests]. ("To the most honorable and honour'd Earle of Salisbury", ll. 21-5; H.& S., I, 202)

Jonson's reflection on the affair demonstrated itself later in his poetry. After all, the poet would not let the opportunity vanish without capitalizing on it. At least, he could express his relief at the failure of the Plot and his delight at the king's miraculous escape, let alone at the redemption of his country. His Epigram 66 thus praised Lord Monteagle's role in discovering and aborting the Plot, and immortalized the poet's own words:

And proud, my worke shall out-last common deeds,
Durst thinke it great, and worthy wonder too,
But thine, for which I do't, so much exceeds!
My countries parents I haue many knowne;
But saver of my countrey thee alone.
(H. & S., *Ben Jonson*, VIII, 46)

The summons and brief imprisonment over *Eastward Ho!* in 1605 together with his failure to secure hard evidence about the Gunpowder Plotters seem to have had little effect on Jonson's prosperous position as a court poet at this time. By the end of the same year Jonson was commissioned to compose a special entertainment to celebrate on Twelfth Night the wedding of the Earl of Essex to the daughter of the Earl of Suffolk. Accordingly, Jonson wrote *Hymenaei, or the Solemnities of Masque and Barriers at a Marriage*, performed over two consecutive nights.

In *Hymenaei* Jonson recreates the ceremonies of a Roman wedding, and the printed text of the masque includes extensive notes and commentary on the relevant classical sources that Jonson consulted for the composition of the masque. In the introduction to *Hymenaei* Jonson emphasizes the literary merits of the court masques, especially "those grounded upon antiquity and solid learnings" (l. 14),¹⁷ and comments that though "these transitory devices" should "be taught to sound to present occasions, their sense or doth or should always lay hold on more removed mysteries" (ll. 15-17).¹⁸ As will be seen below, the wedding occasion of *Hymenaei* serves only to inform wider themes of political and philosophic import to the aristocratic audience of the masque, and to contribute to the iconography of James's style of kingship.

The entertainment in *Hymenaei* begins with a grand procession of masquers. A bride and a bridegroom are escorted by attendants and then ushered by Hymen, the Roman deity of marriage, to the altar of Juno, the mythological protectress of marriage who presides over wedding ceremonies. After a song forbidding "profane" individuals, who do not believe in nuptial ties, from attending the ceremonies, Hymen pays homage to King James, who is also presiding over the wedding solemnities. To Hymen, the mythological world of the masque is inferior to the real world of King James's court. James, not only as a monarch but as a just one, is deemed a semi-god, and his court a shrine:

What more than usual light
Throughout the place extended,
Makes Juno's fane so bright!
Is there some greater deity descended?

Or reign on earth those powers
So rich, as with their beams
Grace Union more than ours,
And bound her influence in their happier streams?
(ll. 72-79)

James's renowned attribute of pacifism is then well commended by Hymen:

'Tis so: this same is he,
The King, and priest of peace!
(ll. 80-81)

As will become clear, the aristocratic wedding of Essex and Suffolk allowed Jonson to employ in *Hymenaei* two of James's favourite metaphors, namely, peace and union. In his opening speech to the first Parliament in March 1604, James had emphasized his life-long commitment to peace, not only in his kingdom but also in the whole of Christendom:

I thank God I may justly say, that never since I was King, I either received wrong of any other Christian Prince or State, or did wrong to any; I have ever, I praise God, yet kept Peace and amity with all.¹⁹

To fulfil his role as "priest of peace", James sought to solve international conflicts by means of diplomacy and inter-marriages between antagonistic European monarchies. The first measure which James took after his accession to the English throne was to unify the crowns of England and Scotland. The union ended old

hostilities between the two neighbouring kingdoms and thus raised James's monarchical esteem as the union added an aura of mysticism to Jacobean statecraft. James himself was aware of the benefit which he had bestowed on the new kingdom. In his initial address to the Parliament he used the metaphor of marriage to describe the union between the two kingdoms: "What God hath conjoined then, let no man separate. I am the husband, and the whole island is my lawful wife."²⁰ Jonson would later use the same metaphor to refer to the union not only in his subsequent masques but also in his non-dramatic poetry. In his Epigram V "On the Union" Jonson reiterates James's simile:

When was there contract better driven by *Fate*?
Or celebrated with more truth of state?
The world the temple was, the priest a king,
The spoused paire two realmes, the sea the ring.
(H. & S., *Ben Jonson*, VIII, 28)

After Hymen's tributary verses to James, there appears on the stage "a microcosm, or globe, figuring man" (l. 98), out of which come eight men to perform the first masque. The eight men, representing "the four humours and four affections, all gloriously attired," dance to "contentious music" and draw their swords in an attempt to disrupt the wedding ceremonies. At this point, Hymen interferes to control the discordant passions and then delivers a short speech that highlights the need for harmony in the body politic and reproaches the rebellious forces of the passions:

The four untempered humours are broke out,
And with their wild affections go about
To ravish all religion. If there be
A power like reason left in that huge body,
Or little world of man, from whence these came,
Look forth, and with thy bright and numerous flame
Instruct their darkness, make them know and see,
In wronging these, they have rebelled 'gainst thee.
(ll. 107-114)

In response to Hymen's appeal, the figure of Reason, "seated in the top of the globe" (l. 115), now descends on the stage to restrain the wild "humours" and "affections". The discordant passions are soon prevailed over by Reason and, sheathing their swords, they retreat to the sides of the stage. Reason then delivers a

long speech in which she commends marriage , explains the significance of the costumes and other symbolic figures in the masque, and lastly elaborates on the merits of "The binding force of unity" (l. 188).

At this juncture, and with visually spectacular stage effects, the upper part of the stage appears through artificial clouds and reveals Juno, the goddess of marriage, "sitting in a throne supported by two beautiful peacocks" (ll. 195-96). Above Juno appears the flaming region of fire, in continuous motion, on which stood Jupiter figuring the heaven; beneath Juno is Iris, goddess of the rainbow and messenger of Juno, together with eight attendants, representing Juno's celestial powers. At this stage begins the second masque. The figure of Reason wittily draws attention to the fact that Juno, "whose great name /Is Unio in the anagram" (ll. 208-209), represents the mystic power of union which itself brings about concord and harmony. After a song that celebrates the powers of Juno, the male masquers, who represent the passions, join the female masquers, representing the powers of Juno, in a dance that reflects the civilizing influence of union. The dancers then form letters of the bridegroom's name and end the dance by linking hands and forming a human chain that signifies union in its general sense. To describe this climactic tableau, Reason elaborates on the universal effects of union:

Such was the golden chain let down from heaven,
And not those links more even
Than these, so sweetly tempered, so combined
By Union, and refined.
Here no contention, envy, grief, deceit,
Fear, jealousy have weight,
But all is *peace, love and faith and bliss* |:
What *harmony* is this?

(ll. 286-93; emphasis added)

In this way, the celebration of the wedding between Essex and Suffolk becomes a mere occasion to celebrate the benefits that James has conferred upon his kingdom, namely, peace and the union. The union that is commended in *Hymenaei* is not simply that between the Earl and his Countess, but also the union between the two kingdoms which has brought peace, and more generally a union both between

members of the human race bound together by love, and a union between God and men.

In the last dance of *Hymenaei*, the masquers form "a orb or circle" in the middle of which stands Reason requesting the masquers to pay the homage due to James, whose power and bounty have brought about peace and harmony to the couple and to the united monarchy:

Now move united and in gait,
 As you in pairs do front the state,
 With grateful honours thank his grace
 That hath so glorified the place,
 And as in circle you depart
 Linked hand in hand, so heart in heart
 May all those bodies still remain
 Whom he, with so much sacred pain,
 No less hath bound within his realms
 Than they are with the ocean's streams.
 Long may his union find increase
 As he to ours hath deigned his peace.
 (ll. 377-388)

Jonson's employment of the metaphors of peace and union in *Hymenai* shows how well the masque-writer did his research on his royal subject. The text also shows the high esteem in which Jonson held what contemporaries called "trifles" or considered as "transitory devices". *Hymenaei* anticipates Jonson's concerns in the subsequent masques with issues of political and philosophic significance, and reveals the poet's central role in emphasizing and celebrating the mystic powers of Jacobean statecraft.

The outset of 1606 had also some trouble in store for Jonson. Not long after *Hymenaei* was performed at court, Jonson was "presented" for "correction" by the Church authorities in the Consistory Court of London. He was charged, together with his wife, with being absent from communion - a political as well as a religious offence. He was further described as "by fame a seducer of youth to the Popish religion" (H. & S., *Ben Jonson*, I, 220-2). Jonson denied the charge and challenged his accusers to produce conclusive evidence to support their claims; upon failing to do so the charges against him were dropped. After almost every involvement with the authorities, Jonson was fortunate to find an occasion to restore

his strong links with James and the court. In March 1606 rumours were spread that King James had been stabbed while out on a hunting trip. To the Jacobean poet, the event was an opportunity to restore his position at court. Consequently, Jonson showed his exuberance at the false rumour in Epigram 51, "To King James on the Happy False Rumour of his death" (H. & S., *Ben Jonson*, VIII, 43).

In parallel to Jonson's flourishing esteem at court came a theatrical success on the public stage when his *Volpone* was produced by the King's Men at the Globe Theatre. This experience interrupted only briefly Jonson's commitment with the court. As he claimed in a note about the play, *Volpone* was composed in the impressively short period of five weeks ("Prologue", *Volpone*, l. 16). Though formally set in Venice, *Volpone* unmistakably makes a ruthless attack on the acquisitiveness and amoral values of the rising merchant classes of Jacobean London. The force of the play is, in fact, fuelled by the notion that it deals with topics of urgent and immediate concerns to the Jacobean audience. Jonson wrote *Volpone* at a time marked with social upheaval and a frenzied lust for wealth and affluence. "Old values" were being replaced by greed, avarice, and total materialism. The social structure was also changing. The emergence of the *nouveaux riches*, men who acquired wealth and power but not social merit, must have alarmed Jonson and his like-minded intellectuals. Emphasis on riches and financial status, ostentatious display of wealth, apparent in the erection of new buildings, the costly court entertainments and the over-consumption of food, all reinforce the modern reader's view that Jonson, in writing *Volpone*, and later *The Alchemist* and *Catiline*, was writing on topics uppermost in the minds of his contemporary audience. Historians, such as Lawrence Stone, have demonstrated that greed, for instance, was among the contemporary issues which Jonson and many of his contemporary playwrights sought to tackle in their plays.²¹

Soon after the good reception of *Volpone* Jonson's literary talent was called upon for a very special occasion. On 17 July 1606, King James was visited by his brother-in-law, Christian IV, King of Denmark. A week later, the two Kings were

on a four-day visit, from 24 to 28 July, to Cecil's country estate of Theobalds. The noble host thus requested Jonson to devise the welcoming addresse in honour of the royal visitor. On 24 July 1606, Jonson received from Salisbury a payment of thirteen pounds and six pence as "chardges of ye show at Theoballs [*sic*]" Inigo Jones, who was responsible for the visual effects of the entertainment, received a payment of £23.²²

During the four-day visit, the two Kings were entertained with a masque entitled *Solomon and the Queen of Sheba*, devised especially for the occasion. Whether this was one of Jonson's masques there is no evidence, and the text does not appear in Jonson's published *Works*. But even if Jonson was the author of the text he would have had good reasons to disavow any connection with it. A contemporary report shows that the production of *Solomon* was an extraordinarily embarrassing experience, as a result of the drunkenness of both the participants and the royal audience:

The lady who did play the Queen's part, did carry most precious gifts to both their Majesties; but, forgetting the steps arising to the canopy, overset her caskets into the Danish Majesty's lap, and fell at his feet, though I rather think it was his face... His Majesty then got up and would dance with the Queen of Sheba; but he fell down and humbled himself before her, and was carried to an inner chamber and laid on a bed of state; which was not a little defiled with the presents of the Queen which had been cakes, spices and other good matters.

Moreover, three of the participants, Hope, Faith and Charity, added to the chaos of the entertainment: Hope was speechless, for "wine rendered her efforts so feeble that she withdrew;" Faith also "left the court in a staggering condition;" and Charity did no better than "her sisters," who were later "sick and spewing in the lower hall."²³ Such behaviour by royal and aristocratic figures during court masques no doubt disappointed the masque maker and heightened his disenchantment with the court that seemed unwilling to treat this artistic genre the respect and seriousness for which Jonson aspired.

Yet Jonson did not give up devising masques for the court at a time when his services were in much demand. Early in the following year Jonson was

commissioned to provide an entertainment for James at Theobalds to celebrate the transfer of the magnificent country house from the Cecil family to the King. The entertainment, which was produced on 22 May 1607, is among Jonson's shortest pieces of this kind, comprising only five speaking parts, exchanged between the Genius of the House, Mercury, and the three Fates. However, surviving evidence suggests that the entertainment, which was stage-designed by Inigo Jones, was impressively spectacular.²⁴

Success soon generated more success. For in June Jonson was approached by the Merchant Tailors' Company to devise a welcoming speech to King James during his visit on the occasion of the annual election of the Masters and Wardens. The Company then paid twenty pounds "to Mr Benjamin Johnson, the poet, for inventing the speech to his Majesty and for making the songs, and his directions to others in that business" (H. & S., XI, 586-87).

Towards the close of the year Jonson was commissioned to write the Queen's masque for the Christmas Revels at court. Wishing to "glorify the court", the Queen had requested Jonson to devise a sequel to *The Masque of Blackness*, and instructed the poet to include "the daughters of Niger" of the previous masque, "with four more added to their number."²⁵ *The Masque of Beauty* was then performed on 10 January, 1608, for the Twelfth Night entertainment. It celebrates the virtuous and civilizing qualities of the female sex, embodied in "Bright Aethiopia" (l. 106), played by Queen Anne. The fifteen daughters of Niger and their Queen are presented as inhabiting an island which, "by virtue of their light and grace" (l. 108), has been transformed into an earthly paradise:

There their queen
Hath raised them a throne that still is seen
To turn into the motion of the world.
(ll. 110-12; Orgel, p. 65)

The masque concludes by inviting the ladies to "enjoy that happiness, ev'n to envy, as when /Beauty at large brake forth and conquered men" (ll. 331-32; Orgel, p. 74).

The Queen's masque was an expensive entertainment, even according to the contemporary standard of royal masques. According to the contemporary estimate of La Boderie, the French ambassador, it cost up to thirty thousand pounds. The ostentatious display of wealth during the masque stirred strong contemporary criticism. An eyewitness of the masque gave an account of the excessive display of jewels on the night of the performance: "one lady (and that under a baronesse) is said to be furnished for better than a hundred thousand pounds; and the Lady Arabella goes beyond her; and the Queen must not come behind."²⁶ This description was reiterated by the Venetian Ambassador: "what beggared all else, and possibly exceeded the public expectation was the wealth of pearls and jewels that adorned the Queen and her ladies, so abundant and splendid that in everyone's opinion no other court could have displayed such pomp and riches."²⁷ The Queen's great influence on James was also noted and commented upon by the French Ambassador: "One cannot believe that power that she always holds over him and the tricks that she employs." (*ibid.*) The occasion of the masque created a political inconvenience as the Spanish ambassador was invited to attend the masque, much to the displeasure of his French counterpart. This diplomatic incident led to the postponement of the performance of the masque until 10 January 1608.²⁸

Within the same year Jonson received more commissions to write court masques. During this time of his reign, King James was encouraging matrimonial alliances between Scottish courtiers and English heiresses in order to bolster up the union between Scotland and England. His attempts were met with some discontent, especially from the English gentry; popular anti-Scottish sentiment was markedly increasing at this time.²⁹ To show his pompous blessings to such weddings, James commissioned Jonson to write special masques which emphasized and celebrated the harmonious match, not only of the aristocratic couple, but also of the two kingdoms. Jonson was thus employed in a masque for the wedding of John Ramsey Viscount Haddington to the daughter of Robert Earl of Essex. Haddington was a prominent Scottish courtier who had saved James's life at the time of the Gowrie

Conspiracy. His bride Elizabeth was the eldest daughter of the Earl of Essex. *The Haddington Masque* was then performed on 9 February 1608, and proved to be another extravagant and costly court entertainment. The visual effect at the opening scene alludes to the bride's family name; Jonson explains: "The scene to this masque was a high, steep, red cliff advancing itself into the clouds, figuring the place from whence (as I have been, not fabulously, informed) the honourable family of the Radcliffes first took their name (*a clivo rubro*) ["from the red cliff"] ..." (ll. 20-24) "This cliff," Jonson continues, "was also a note of height, greatness and antiquity, before which, on the two sides, were erected two pilasters charged with spoils and trophies of Love and his mother, consecrate to marriage ..." (ll. 24-27; Orgel, p. 108)

The masque directs all attention to King James, sitting "on this state" (l. 180), at the centre of the production; he is

a prince that draws
By example more than others do by laws,
That is so just to his great act and thought,
To do not what kings may, but what kings ought;
Who out of piety unto peace is vowed,
To spare his subjects, yet to quell the proud,
And dares esteem it the first fortitude
To have his passions, foes at home, subdued.
(ll. 184-191; Orgel, p. 114)

These lines include one of Jonson's main characteristic in his praise of King James - a characteristic that recurs in the later masques of the period. To Jonson, King James is (or, by implication, supposed to be) a monarch who rules by virtue of his wisdom and justice, not merely by the power invested in him (ll. 184-5). The underlying objective in Jonson's major masques is also emphasized in the next two lines: "That is so just to his great act and thought / To do not what kings may, but what kings ought" (ll. 186-7), which reflect the Baconian doctrine of teaching through praise. The poet draws the past and the present together, and effects a meeting between a mythological goddess and an actual king in order to present his laudatory message to James, through Venus:

I love and know his virtues, and do boast

Mine own renown when I renown him most.
 My Cupid's absence I forgive, and praise,
 That me to such a present grace could raise.
 (ll. 204-7)

Most famous of Jonson's masques during this time was *The Masque of Queens*, performed at Whitehall on 2 February 1609. The masque was requested by Queen Anne, and the text was later dedicated, with extensive annotations, to Prince Henry upon his own request. The significance of *The Masque of Queens* in the history of the genre lies partly in the adoption of the anti-masque, intended as a "foil or false masque" (l. 12), played by professional actors and was followed by the masque proper, played by courtiers. In this masque Jonson moves from emphasizing the female self-assertion, apparent in the earlier masques of *Blackness* and *Beauty*, into celebrating female virtue as a whole. In Jonson's own words, the masque is "a celebration of honourable and true fame bred out of virtue, observing that rule of the best artist, to suffer no object of delight to pass without his mixture of profit and example" (ll. 6-8; Orgel, p. 122). The visual effect of the masque is provided by Inigo Jones in his design of the House of Fame, "in the top of which were discovered ... twelve masquers sitting upon a throne triumphal erected in the form of a pyramid and circled with all store of light."³⁰ The House of Fame and its noble occupants replace an ugly hell inhabited by eleven witches, strangely dressed. The witches are meant to serve as the antithesis of the virtues represented by the twelve queens of the main masque.

The transition from antimasque to masque in *Queens* embodies the metamorphosis of the fictitious world of the masque into the real world of the court. The absolute disappearance of the hags symbolically means the defeat of the world of evil as well as its unreality. The existence of the world of evil in the masque can only be conceived in relation to the world of ideals which the masque strongly adopts. In this masque, Jonson builds his theme of the glorification of the monarch on the symbols of fame and virtue. These ideals are clearly emphasized by the contrast with the grotesquerie of the twelve hags, "sustaining the persons of Ignorance, Suspicion, Credulity, etc., the opposites to good Fame." (Orgel, p. 123)

The speech of Heroic Virtue, after the hags have been driven out by music figuring "Fames loud sound," explains how at the sight of virtue and the sound of fame the enemies of light are overwhelmed.

Another interval in Jonson's career at court occurred when the dramatist produced a comedy for the public stage. *Epicoene, or the Silent Woman* was first performed in December 1609 or January 1610, by "the Children of her Maiesties REVELLS", a boy company, at the Whitefriars, after an eighteen-month closure of the theatres, due to the plague.³¹ The play, though a fine example of Jonsonian comedy, caused the dramatist another encounter with the authorities. It made an allusion to Lady Arbella Stuart, King James's cousin. The reference is particularly made to the notable Prince of Moldavia, who was allegedly engaged to Lady Arbella. The King's cousin, though she did not see the play, was offended at the reference and caused the play to be suppressed. Contemporary evidence about the affair survives in a despatch by the Venetian Ambassador, dated 8 February 1610, concerning Arbella's displeasure with Jonson's play:

She complains that in a certain comedy the playwright introduced an allusion to her person and the part played by the Prince of Moldavia. The play was suppressed. Her Excellency is very ill-pleased and shows a determination in this coming Parliament to secure the punishment of certain persons, we do not know who.

(H. & S., *Ben Jonson*, V, 146)

The playwright responsible for the offensive reference is certainly Jonson, and the play is no doubt *Epicoene*. The evidence of the unmistakable allusion to Arbella Stuart and her fiancé, the Prince of Moldavia, has survived in the play's published text. The exact reference is made by La Foole to "the Prince of Moldavia, and ... his mistress, Mistress Epicoene" (V. i. 22-23). Jonson denied the accusation of an intended allusion and in the published text complained of those who "with particular sleight /Of application, wrest what he [the author] doth write" ("Prologue", ll. 11-12).

At about the same date of the first performance of *Epicoene* Jonson was putting the final touches to a court entertainment, occasioned by the investiture of

Henry as Prince of Wales. *The Speeches at Prince Henry's Barriers* was Jonson's contribution to the celebrations which took place on Twelfth Night, 1610 (H. & S., *Ben Jonson*, VII, 281). Prince Henry was at this time becoming a focal point of a court faction which attracted those who adopted a stance opposed to that of James and espoused the policy of supporting Protestants on the Continent. The young Prince, not yet sixteen years of age, was also establishing himself as a prominent patron of the arts. He had by this time taken George Chapman under his patronage together with the translator Joshua Sylvester. He had also supplemented his growing literary interests by acquiring Lord Lumley's library, second only to that of Sir Robert Cotton. Jonson, no doubt, aspired to win the Prince's patronage at a time when the former lacked any effective patronage. Henry, as has been noted, had requested Jonson to provide learned annotations to *The Masque of Queens*. In response, Jonson dedicated the 1609 quarto of the masque to the Prince. The poet also pledged his art to the service of the young Prince: "If my Fate (most excellent Prince, and *only Delicacy of mankind*) shall reserve mee to the Age of your Actions, whether in the Campe, or the Councill-Chamber, that I may write, at nights, the deedes of your dayes; I will then labour to bring forth some worke as worthy of your fame, as my ambition therein is of your pardon."³²

However, there are good reasons to suggest that Jonson's political views were not in complete harmony with those of Henry. The Prince was at this time the nucleus of a growing circle of warlike Protestants, advocating war against Catholic regimes in Europe. Further, Jonson's strong classical humanism must have collided with Henry's love of chivalric legend. Jonson was still a Catholic and could not have shared Prince Henry's aggressive principles against his co-religionists. Therefore, when the Prince commissioned Jonson to contribute to the celebrations at his *Barriers*, the latter undoubtedly faced an uneasy task. Jonson was almost certainly mindful of the necessity to please the Prince without seeming to ignore the King's taste for what underlined peace and order. James and Henry had totally contradictory interests. While the King was effeminate and timorous, the Prince

was virile and warlike. Further, James opposed religious wars in Europe and pursued instead intermarriages between states to further peace, while Henry was enthusiastic about supporting the Protestant cause on the Continent. Between 1608 and 1610 Prince Henry received a number of treatises about war and statesmanship from Sir Walter Raleigh while the latter was in the Tower for his alleged role in a Spanish plot against James I. In 1610 Henry also received a document entitled "Arguments for War", presented to him by an unofficial group of advisers. In the same year, James employed Sir Robert Cotton to write "An Answer to the Propositions of War".³³

Jonson's *Speeches at Prince Henry's Barriers* celebrate, in chivalric terms, the Prince's talents in the martial arts through the mythological figure of Meliadus, a lover of the Lady of the Lake, according to the legend of King Arthur. The Lady of the Lake, a central figure in the Arthurian legends, opens the masque with a speech in which she celebrates the restoration of the Arthurian traditions by the Stuart monarch:

Now, when the island hath regained her fame
Entire and perfect in the ancient name,
And that a monarch equal good and great,
Wise, temperate, just and stout *claims Arthurs seat*.
(ll. 18-21; Orgel, p. 143)

As Stephen Orgel has pointed out, Jonson's original line "*claimes Arthurs seate*" is an anagram of James's name, "Charles Iames Steuart" (Orgel, *op. cit.*, p. 143). According to the Lady, not only does James, a real king, outshine the legendary Arthur, but also his Stuart court is superior to that of King Arthur:

How brighter far than when our Arthur lived
Are all the glories of this place revived!
What riches do I see, what beauties here!
What awe, what love, what reverence, joy and fear!
What ornaments of council as of court!
All that is high and great, or can comport
Unto the style of majesty, that knows
No rival but itself, this place here shows.
(ll. 24-31)

The impressive "style of majesty" of James's court also contrasts sharply with the "decayed" "house of chivalry" of the Arthurian legend, where "shields and swords" are "Cobwebbed and rusty" (ll. 30; 34; 32; 40; 41).

The Lady of the Lake pleads to King James to help restore the declining creed of chivalry in his court:

Proceed in thy great work; bring forth thy knight
 Preserved for his times, that by the might
 And magic of his arm he may restore
 These ruined seats of virtue, and build more.
 Let him be famous, as was Tristram, Tor,
 Launc'lot, and all our list of knighthood, or
 Who were before or have been since. His name
 Strike upon heaven, and there stick his fame!
 (ll. 82-9)

One can hardly doubt James's unease with the imputation, made to him by the Lady (and by Jonson), of the decline in chivalric traditions in his court. James's discomfort with the *Barriers* may explain why the King confined the performance to the Banqueting House rather than to a more public venue. (H. & S., *Ben Jonson*, X, 511) *The Speeches*, however, mediate cautiously and cleverly between two contradictory trends: Henry's passionate militancy and King James's celebrated pacifism. Hence what is in mythology a military figure Jonson deftly made a symbol of peace and moderation. The celebration of Prince Henry also paid homage to the "Wise, temperate, just and stout" King as he sat in his raised dais and complimented him as the restorer of the Golden Age. (ll. 20; 24-5)

King Arthur, "*discovered as a star above*" (l. 64), then, instructs the Lady to "bring forth thy knight", who, "by the might /And magic of his arm ... may restore /These ruined seats of virtue, and build more" (ll. 83; 84-85). The attention is then transferred to Meliadus, Prince Henry in disguise:

Glory of knights and hope of all the earth,
 Come forth; your fostress bids, who from your birth
 Hath bred you to this hour and for this throne
 This is the field to make your virtue known.
 (ll. 147-50)

The appearance of prince Henry and his knights (as masquers), however, ushers in a world marked not by the militarism of the Arthurian legends but by

rationality and moderation. Jonson's acquiescence to Prince Henry's wishes was not, after all, total. Merlin, the mighty magician of the legendary Arthur, emphasizes the reality of the masque-world, as opposed to the fictitiousness of the Arthurian tradition. Prince Henry is informed of such distinction:

These were bold stories of our Arthur's age;
But here are other acts; another stage
And scene appears; it is not since as then:
No giants, dwarfs or monsters here, but men.
(ll. 163-66)

Accordingly, the task that faces the young Prince is real and grave:

His arts must be to govern and give laws
To peace no less than arms. His fate here draws
An empire with it, and describes each state
Preceding there that he should imitate.
(ll. 167-70)

In a carefully balanced speech, Merlin then gives an account of the glorious past of England, recounting the virtues of former monarchs, and emphasizing the significance of both war and peace, conquest and industry. The "warlike Edward", Meliadus is reminded, initiated "trades and tillage" (ll. 179; 180); Edward III followed his steps and strengthened "laws and peace" (l. 180). Thus, Edward III is praised not for his military feats or conquests but for

The trade of clothing, by which art were nursed
Whole millions to his service, and relieved
So many poor, as since they have believed
The golden fleece, and need no foreign mine,
If industry at home do not decline.
(ll. 186-90)

Was this, one may ask, the kind of masque that Prince Henry expected? Were "trades and tillage", "the trade of clothing" and a prosperous industry at home Henry's main interests? Hardly was any of these Henry's immediate concern. His, in fact, were the feats of "The wise and seventh Henry", who "heaped each year ... the strength and sinews of a war" (ll. 192; 193; 194); of Henry the Eighth, who "Built forts, made general musters, trained youth on /In exercise of arms, and girt his coast /With strength" (ll. 196-1980; and of "great Eliza", who was "The aid or fear of all the nations nigh" (ll. 200; 202). Jonson's mixture of war and industry

highlights the monarch's need for peace and stability at home as well as military power to keep the country's enemy at bay; the glorious past then serves to illuminate the prospective monarch:

These, worthiest prince, are set you near to read,
That civil arts the martial must precede,
That laws and trade bring honours in and gain,
And arms defensive a safe peace maintain.
(ll. 203-6)

Throughout the masque Jonson carefully maintains an equilibrium between Prince Henry's passion for military feats and James's peace-loving tendency. The Prince is reminded that his country may "invite /Your valour upon need" (l.l. 321-22), but he is equally advised "not t'incite /Your neighbour princes; [to] give them all their due /And be prepared if they will trouble you" (ll. 322-24). If England's past is full of glorious deeds to follow, Jonson adds, the present is equally illustrious and King James offers an ideal example to be followed:

Here's one will raise
Your glory more, and so above the rest,
As if all the acts of mankind were pressed
In his example. Here are kingdoms mixed
And nations joined, a strength of empire fixed
Conterminate with heaven; the golden vein
Of Saturn's age is here broke again.
(ll. 328-34)

Arthur's magician Merlin then praises James for having "joined /The rose and thistle" (ll. 335-36), the national signs of England and Scotland - a reference to the union between the two Kingdoms.

As in most of his masques, Jonson astutely hedged his bets in the *Barriers*. Accordingly, "Royal and mighty" James receives the following encomium as the celebration nears its conclusions:

He knows both how to govern, how to save,
What subjects, what their contraries [rebels] should have,
What can be done by power and what by love,
What should to mercy, what to justice move;
All arts he can, and from the hand of Fate
Hath he enforced the making of his own date.
Within his proper virtue hath he placed
His guards 'gainst fortune, and there fixèd fast
The wheel of chance, about which kings are hurled,
And whose outrageous raptures fill the world! (ll. 345-58)

(The lines 355-56, in particular, remind the reader of the lines spoken by Silius in Jonson's first extant Roman tragedy, as the military leader is arraigned for trumped-up charges of treason: "Silius hath not placed /His guards within him, against Fortune's spite /So weakly but he can escape your gripe /That are but hands of Fortune." (III. 321-24)) Jonson's *Barriers* thus establish a well-proportioned fusion of military tendencies, espoused by Prince Henry, and the art of peaceful government, embraced strongly by King James I.

In the summer of 1610 another play for the public stage was produced. *The Alchemist* was acted by the King's Men at their Globe Theatre, much to the applause of its audience.³⁴ Within the same year and in a highly surprising move Jonson abandoned his Roman Catholicism and restored himself to his original faith of Protestantism. The cause of this serious measure can only be surmised. Probably Jonson was trying to dissociate himself from the Catholics who were seen as more loyal to the Church in Rome than to their own country. Catholicism and patriotism were deemed rather antonymous than synonymous, and to prove the latter Jonson had to denounce the former. According to his host of Hawthornden, "after [Jonson] was first reconciled with the Church, and left off to be a recusant, at his first Communion, in token of true reconciliation, he drank out all the full cup of wine" (H. & S, *Ben Jonson*, I, 141).

Jonson's success as a masque-maker continued uninterrupted. The year 1611 was inaugurated with the performance of his masque of *Oberon*, devised for Prince Henry, and designed by Inigo Jones. The occasion of the masque was the investiture of Henry as Prince of Wales. By this time Prince Henry's image as a militant Protestant had increased considerably. Henry's request for a masque which would emphasize his chivalric martial talents was, according to the Venetian ambassador, met with opposition from the King who, of course, did not share his son's palate for spectacles of a bellicose nature.³⁵ *Oberon* is indeed milder in its chivalric emphasis than its predecessor. The masque commends Henry's promising youth and his princely qualities, associated with the life-giving spring:

... he doth fill with grace
 Every season, every place;
 Beauty dwells but in his face;
 He's the height of all our race.
 Our Pan's father, god of tongue,
 Bacchus, though he still be young,
 Phoebus, when he crownéd sung,
 Nor Mars when first his armour rung
 Might with him be named that day.
 He is lovelier than in May
 Is the spring, and then can stay
 As little as he can decay.

(ll. 45-56)

The chivalric emphasis of the *Barriers* is replaced in *Oberon* by the emphasis on both the beauty and potential of youth, coupled with a commendation of the Prince's god-like qualities such as supreme power, eloquence and chivalry.

The resounding success of *Oberon* was due partly to Jonson's masterful presentation of Prince Henry in the role he most cherished, and partly to Prince Henry's own impressive performance as the leading participant. Though Henry, according to the Venetian ambassador, "would have liked to present this masque on horseback, could he have obtained the king's consent," a contemporary observer reported that "the masque was very beautiful throughout, very decorative, but most remarkable for the grace of the Prince's every movement" (H. & S., X, 518-19).

While *Oberon* occupied the centre of court celebrations of the Christmas Revels, another entertainment commissioned by Queen Anne was intended for performance on Twelfth Night. Jonson's *Love Freed from Ignorance and Folly*, was however unexpectedly delayed until 3 February, 1611, the Feast of the Purification. By this time, the influence of Queen Anne had notably already started to dwindle as a result of the rising eminence of Prince Henry and the emergence at court of Sir Robert Carr, a handsome courtier who commanded James's attention and affection.³⁶ As a result of the shifting fortunes of Queen Anne, her last masque, *Love Freed*, was markedly less grandiose than the earlier masque Jonson had devised for her. No longer does Anne's assertive femininity merit emphasis or celebration. Instead, the Queen is recommended to "free" herself from such impediments so that her love to James could flow unalloyed and unhindered.

Love Freed marks a turning point not only in the eminence of Jonson's royal patroness but also in the esteem of the masque itself. Faced with growing financial problems and due to the increasing cost of royal entertainments, the court was forced to make considerable cutbacks in its expenditure on future masques. Though distinctly less expensive than previous masques, *Love Restored* cost the royal treasury a substantial sum of money, with each of Jonson and Inigo Jones receiving £40, the choreographer £50 "for teaching all the dances", while a large amount of money was spent on fabrics to provide the performers' costumes.³⁷

To Jonson, it was becoming apparent that James's court valued jigs and painted sceneries more than poetry and learning, and rated choreographers far above poets. This bitter reality, coupled with the poet's self-assertion and his determination to elevate both his art and his audience's understanding, all combined to dictate another change of direction in Jonson's career and political attitude. The erudite poet would thus return to Roman history to write another tragedy for the public stage. His decision seems to have been partly a deliberate attempt to reassert the uniqueness of his art and its superiority to the cheap effects of the private stage in James's court.

In the masques, to conclude, Jonson created fantastic and mythological allegories by which he set the high standards expected of the monarch and the courtly audience. Though concerned mainly with a royal or aristocratic occasion (birthday, wedding, investiture, diplomatic visits, and so forth), the masque form as Jonson conceived it celebrates royal virtues and glorifies an ideal monarch who as a single figure represents peace, prosperity and national unity. The Jonsonian masque, thus, extends its "present occasion" to celebrate the King's attribute of Wisdom which manifests itself in the printed text in the King's ability to bring about peace, social order, and the restoration of the Golden Age. By presenting classical and mythological figures in order to extol the king, the central figure of the courtly entertainment, Jonson invented an artistic mirror which not only reflected an

idealized image of the monarch (which often little resembled the reality of the court) but also reflected the subjects' high expectations from their monarch and his retinue. By presenting Queen Anne as Bel-Anna, Queen of the Ocean, King James as Pan, the Universal god, and Henry as Oberon, the Fairy Prince, as Orgel has put it:

a deep truth about the monarchy was realised and embodied in action, and the monarchs were revealed in roles that expressed the strongest Renaissance beliefs about the nature of kingship, the obligations and perquisites of royalty.³⁸

The courtly audience of the masque were meant not only to watch such a royal spectacle and be merely entertained by it, but also to heed the moral and ethical messages implied in it. By virtue of the final dance, or the "revels," the masque incorporated into its performance the courtly spectators in order to achieve its primary aim of presenting the emblematic and allegorical messages to the intended targets, namely, the court. In other words, the whole mechanism of the masque, as Orgel and Strong put it, transformed the courtly "audiences and spectators, fixing the viewer, and directing the theatrical experience toward the single point in the hall from which the perspective achieved its fullest effect, the royal throne." By virtue of the stage, designed by the prominent Inigo Jones, the masque, Orgel and Strong add, the courtly audience is transformed into "a living and visible emblem of the aristocratic hierarchy: the closer one sat to the King, the 'better' one's place was, and only the King's seat was perfect."³⁹ However, those who accuse Jonson of abject sycophancy to James I in the court masque miss the underlying objective of this form, namely, setting idealized examples from antiquity for the monarch to emulate. As Stephen Orgel has succinctly commented, Jonson's "idealization of the virtue embodied in the king and aristocracy was in the highest sense a moral act."⁴⁰

When Jonson started to work on the image of monarchy his crucial concern was to define in traditional methods part of a theory of kingship, that is, to define the king's duties, the subject's obligations, as well as to celebrate the office of the king. In these courtly entertainments, Jonson praised James not for what the King

acquired but rather for what he *ought* to acquire, not for what Jonson *saw* in him but for what Jonson, (and hence most Jacobeans), *expected* from him. Every masque, by means of the anti-masque and the masque proper, presented a set of antitheses, which represented Rule and Misrule, Order and Disorder, Folly and Wisdom. It was only logical that the king and his courtiers were portrayed in such positive images. The concluding speeches and songs, following the taming of the discordant forces, then, praise King James as the ideal ruler, the symbol of unity and harmony. The climactic speech about James in *Oberon*, for instance, sets an image more of the ideal monarch than of James himself:

He is the matter of virtue, and plac'd high
His meditations, to his height, are even,
And all their issue is akin to heaven.
He is a god, o'er kings, yet stoops he then
Nearest a man when he doth govern men,
To teach them by the sweetness of his sway,
And not by force. He's such a king as they
Who're tyrants' subjects or ne'er tasted peace
Would, in their wishes, form for their release.
(ll. 258-66)

Similarities have been detected by various critics of the masque between passages, such as the one already quoted, and King James's own writings, particularly *Basilikon Doron*, a political treatise of instructions to Prince Henry. Ernest William Talbert, for instance, in his reading of Jonson's *The Masque of Augurs*, commented: "In fact, he who reads the *Basilikon Doron* and Jonson's masques will notice similarities in sentiment and in emphasis."⁴¹ This view was echoed by Allan H. Gilbert, who remarked that "The masques constitute almost a King's mirror, echoing precepts familiar to James in the volumes he turned over when composing his own book *de regimine principum* for his son Henry."⁴² In his recent study of the literary masque and the masque-in-performance, Jerzy Limon has also reiterated the common view that "the masque emblems show striking resemblances to the Stuart ideology in general and to James I's own writings."⁴³ In addition to their value as presenting heroic symbols for the monarch, Jonson's masques function as a direct moral message from the poet to the king. Gilbert is right in maintaining that

"The age with its allegory and mythology had provided the perfect instrument for bringing to the eye and ear of the monarch the virtues he should ensure and the vices he should avoid."⁴⁴

The notion (in the lines quoted above) of an ideal king, who rules his people according to justice, not by fear and oppression, is reiterated by Jonson in his Epigram XXXV, "To King James":

WHO would not be thy subiect, Iames, to obay
A Prince, that rules by example, more than sway?
Whose manners draw, more than thy powers constraine.
(ll. 1-3; H. & S., *Ben Jonson*, VIII, 37)

Similarly, in *Love Freed from Ignorance and Folly*, the wisdom of king James, "the brightest face here shining" (l. 237), is highly praised:

For 'tis his wisdom all doth do,
Which still is fixèd in his breast,
Yet still doth move to guide the rest.
(ll. 245-47)

Jonson's Jacobean masque, then, provides the English court with a paragon of virtue and authority. By presenting a spectrum of ideal roles, the courtiers are invited to participate in the process of transformation from what they *are* to what they *ought* to be. It must be noted that the masque is a literary form which yields its full meaning only when seen within its contemporary contexts: an awareness of its immediate occasion and the issue of patronage and what went "behind the scenes" are all vital prerequisites towards a better understanding of this royal spectacle. One can thus hardly disagree with Limon's view that "when treated in isolation individual masques are deprived of their original richness and often fail to create coherent meanings."⁴⁵

Being special entertainments for an aristocratic and highly sophisticated audience, court masques inevitably became occasions for both ostentation and dissipation of wealth. Courtiers dressed up to the point of stark exaggeration. *The Masque of Love Freed from Ignorance and Folly* (1611), for instance, cost the Exchequer over £600.⁴⁶ *Oberon, the Fairy Prince* (performed on 1 January, 1611), cost about £2,100 including various aspects of the production.⁴⁷ In 1611,

an English translation of Sebastian Serlio's *Architettura* was published; in this work Serlio commented that the lavishness of court productions was the manifestation of the social and political life of the time: "The more such things cost, the more they are esteemed, for they are things which stately and great persons doe, which are enemies to niggardliness."⁴⁸

Nor was the financial cost the only cause for criticism against certain masque performances. The manner in which courtiers were dressed and made up for some masque productions incurred contemporary resentment. Sir Dudley Carleton, commenting on the production of *The Masque of Blackness*, lamented that the manner in which the noble masquers were dressed and disguised was incompatible with their aristocratic status. Their "Apparel was rich," he reported, "but too light and Curtizan-like for such great ones" (H. & S., *Ben Jonson*, X, 448). That Carleton was greatly disappointed in the production of the masque is clearly stated in his comment. He went on to express his antipathy and dissatisfaction with the performance, especially with the clumsy make-up of the courtiers: "Thyr black faces, and hands which were painted and bare up to the elbowes, was a very loathsome sight, and I am sorry that strangers should see ovr court so strangely disguised." (*Ibid.*, 448-9)

In the masque form, to judge from his extant texts, Jonson followed the classic doctrine of *laudando praecipere* - "to teach by praising" - which meant that when poets tell "kings and great persons ... what they are, they represent to them what they should be."⁴⁹ By means of celebratory masques and laudatory poems, Jonson provides his aristocratic audience and dedicatees with ideal roles to imitate. He praises persons in high places in the hope of facilitating a transformation from idealism into reality. His efforts, however, were not always fruitful. The moral messages encoded in the erudite masque often fell on deaf ears and his objectives were misinterpreted. His disappointment was inevitably great and his response unequivocally indignant. In epigram LXV, "To My Muse", which follows two epigrams to the Earl of Salisbury (LXIII and LXIII; H. & S., *Ben Jonson*, VIII,

47), Jonson scolds his "muse" for having deceived him into praising "a worthless lord" (l. 2) and for having made him "commit most fierce idolatrie" (l. 3). If abject flattery is the only way to wealth and favour, Jonson implies, he prefers to live in poverty in so far as he can maintain his honesty. His address to his "muse" is blatantly forthright:

With me thou lea'ust an happier *Muse* then thee'
 And which thou brought'st me, welcome pouertie.
 Shee shall instruct my after-thoughts to write
 Things manly, and not smelling parasite.
 But I repent me: Stay. Who e'er is rais'd,
 For worth he hath not, He is tax'd, not prais'd.
 (ll. 11-16; H. & S., *Ben Jonson*, VIII, 48)

For Jonson, the serious efforts to make his aristocratic audience narrow down the gap between the ideal world of his masques and laudatory poems, on the one hand, and the unimpressive reality of the court life, on the other, were wasted. On the evidence of the way in which the masques were performed at court there is good reason to deduce that Jonson's aristocratic audience concentrated more on the scenic and ostentatious than on the literary and symbolic aspects. For Jonson, as Stephen Orgel has convincingly argued, "the idealization of the virtue embodied in the king and aristocracy was in the highest sense a moral act."⁵⁰ Virtue praised might lead to virtue being imitated, and vice, wherever found, should be condemned. Compromising over crucial principles seems to have been missing in Jonson's vocabulary. If praise can be taken as mere sycophancy and fails to instruct, censure is a weapon that Jonson seems always to have used effectively. Drummond reports that Jonson "hath a minde to be a churchman, & so he might have favour to make one Sermon to the King, he careth not what y^r after should befall him, for he would not flatter though he saw death" (*Conversations*, in H. & S., *Ben Jonson*, I, 141, ll. 330-32). Jonson's work, particularly in the first decade of James's rule, testifies to this tendency in Jonson. Moreover, in *Catiline*, another erudite tragedy based upon a conspiracy by impoverished and ruthless patricians against the Roman senate, Jonson portrays a society undermined by social vices and corruption. He emphasizes the urgency to adopt the virtues of the past as a remedy

for the ills of the present. Through advice, praise and admonition, Jonson provides the nation's leaders of the time with lessons of both moral and political importance, and sets a classical example in the art of good government.

NOTES

1. One of Jonson's earliest experiences in the Jacobean masque form occurred in August 1603, when he provided an entertainment for the reception of Queen Anne and Prince Henry at Althorpe, on their way from Edinburgh to London. This entertainment must have taken place before the public theatrical fiasco of *Sejanus* (H. & S., *Ben Jonson*, I, 36). Upon James's delayed entry into London, Jonson was commissioned, together with Dekker, to write the speeches for the royal entry on 15 March 1604. When James opened Parliament four days later, Jonson was quick to respond with a "Panegyre" to him. Jonson's masque with which Sir William Cornwallis entertained James and Queen Anne at his house at Highgate on May Day of 1604 pleased James and won the poet a series of royal commissions to provide entertainments for the court. In 1618 Jonson described Daniel to Drummond as "a good honest man, but no poet" (H. & S., I, 132) and added that "Daniel was at jealousies with him [i.e. Jonson]."
 2. 'To the Reader Extraordinary': "...though Places in Court go otherwise ...", *Catiline*, in H. & S., *Ben Jonson*, V, 432.
 3. Towards the close of 1604 Jonson was questioned for his part in *Eastward Ho*, a play deemed offensive for its ridicule of the Scots and for its thinly-veiled caricature of King James I. Jonson is said to have "voluntarily imprisoned himself with" his two collaborators, Chapman and Marston (H. & S., *Ben Jonson*, I, 38).
 4. Epigram IV, "To King James," ll. 1-4; 9-10; in H. & S., *Ben Jonson*, VIII, 28.
 5. Jonson acquired both volumes of James's poetry, the earlier of which was annotated with Jonson's corrections of the King's "errors of orthography." Jonson allegedly told Drummond of Hawthornden that he "said to the King, that his master, Mr G. Buchan[an], had corrupted his ear when young, and had learned [*sic.*] him to sing verses when he should have read them" (H. & S., *Ben Jonson*, I, 148).
 6. Compare with *Sejanus*, I. 375ff.: Tiberius refuses to be flattered by the senator who kneels to him, yet silently accepts Sejanus's obvious flattery ("How like a god speaks Caesar!" (l. 379), at which point Arruntius cynically remarks: "He can endure the second, that's no flattery" (l. 380).
 7. The text of the *King's Entertainment* is reproduced in H. & S., VII, 83-109.
 8. *The Eclogues of Vergil*, translated by H. J. Rose (Berkeley, 1942), p. 192, as cited by Carolyn Greenstein, *The Poet and the King: Solus Rex et Poeta non Quotannis Nascitur* (Ann Arbor, Mich., 1971), pp. 96-97; I have quoted directly from *The Eclogues of Vergil*, translated by Rose.
 9. Rosalind Miles, *Ben Jonson*, p. 92.
 10. Stephen Orgel (ed.), *Ben Jonson: The Complete Masques* (New Haven and London, 1975), p. 84. All references to Jonson's masques, unless otherwise indicated, will be to Orgel's edition.
 11. John Meagher, *Method and Meaning in Jonson's Masque* (Notre Dame, 1966), p. 112.
 12. All references to *Eastward Ho!* are to C. G. Petter's edition (London, 1973).
 13. Lawrence Stone, *The Crisis of the Aristocracy, 1558-1641* (Oxford, 1965), p. 76.
 14. See, for instance "The Hungry Scots" in G. P. V. Akrigg, *Jacobean Pageant, or, The Court of King James I* (Cambridge, Mass., 1962), pp. 48-55, and Lawrence Stone, *The Crisis of the Aristocracy*, especially pp. 74-78.
 15. *Eastward Ho!*, ed. C. G. Petter, pp. 123-24. See also L. Stone, *The Crisis of the Aristocracy*, p. 76.
 16. On this affair, see, for instance, R. Miles, *Ben Jonson*, pp. 94-98.
 17. Orgel, *Ben Jonson: The Complete Masques*, p. 78.
 18. There is good reason to believe that Jonson's comments in the introduction to *Hymenaei* on the literary merits of the court masques were intended primarily as a reply to Daniel's earlier comments that masques should not be taken seriously by their composers lest the latter should be seen as intellectually pretentious. In his dedication of *The Vision of the Twelve Goddesses* to the Countess of Bedford Daniel had observed:

Whoever strives to show most wit about these [trifles] of dreams and shows are sure sick of a disease they cannot hide, and would fain have the world to think them very deeply learned in all mysteries whatsoever. And peradventure they think themselves so; which if they do, they are in a far worse case than they imagine.
- (Joan Rees, *Samuel Daniel: A Critical and Bibliographical Study* (Liverpool, 1964), p. 93, as cited by Rosalind Miles, *Ben Jonson*, p. 81)

19. Quoted by Graham Parry, *The Seventeenth Century: The Intellectual and Cultural Context of English Literature, 1603-1700* (London and New York, 1989), p. 10, citing *The Political Works of James I*, ed. C. E. McIlwain (Cambridge, Mass., 1918).
20. Quoted by G. Parry, *The Seventeenth Century*, pp. 10-11.
21. See Lawrence Stone, *The Crisis of the Aristocracy 1558-1641* (Oxford, 1965), pp. 532-4; 595-60.
22. Rosalind Miles, *Ben Jonson: His Life and Work* (London and New York, 1986), p. 109.
23. *The Letters and Epigrams of Sir John Harington, together with the Prayse of Private Life*, ed. Norman Egbert McLure (New York, 1977), pp. 119-20, as quoted in G. P. V. Akrigg, *Jacobean Pageant*, p. 80.
24. See Scott McMillin, 'Jonson's Early Entertainments: New Information from Hatfield House', *Ren.D.*, New Series, I (1968), 153-166.
25. Lines 1-2; 4-5; 6, in Stephen Orgel's edition, p. 61.
26. *JAB*, 62.
27. H. & S., *Ben Jonson*, X, 457; also quoted in David Riggs, *Ben Jonson: A Life* (London, 1989), p. 148.
28. The Venetian ambassador's report on this occasion is quoted in H. & S., *Ben Jonson*, X, 457.
29. See, for instance, D. H. Willson, *King James VI and I* (London, 1956), pp. 249-57, and Akrigg, *Jacobean Pageant*, pp. 50-55.
30. Orgel, *Ben Jonson: The Complete Masques*, p. 92.
31. For the date of the play's first performance see, for instance, the 'Introduction' in R. V. Holdsworth's edition of *Epicoene* (1979), pp. xvi-xvii, and H. & S., *Ben Jonson*, II, 69; IX, 208-9.
32. Roy Strong, *Henry, Prince of Wales and England's Lost Renaissance* (London, 1986), p. 54.
33. See J. W. Williamson, *The Myth of the Conqueror, Prince Henry Stuart: A Study of Seventeenth Century Personation* (New York, 1978), p. 61; Roy Strong, *Henry, Prince of Wales*, pp. 7-70. A recent illuminating study on chivalry and the image of Prince Henry in contemporary plays and masques is J. R. Mulryne's essay '"Here's Unfortunate Revels": War and Chivalry in Plays and Shows at the Time of Prince Henry Stuart', in *War, Literature and the Arts in Sixteenth-Century Europe*, ed. J. R. Mulryne and Margaret Shewring, Warwick Studies in the European Humanities (Hampshire and London, 1989), pp. 165-89.
34. The performance, which may have taken place before 12 July 1610, when the theatres closed because of the plague, was a success despite some minor opposition expressed by a few discontented spectators. Another performance of the play took place in Oxford in September of the same year, "to the greatest applause, in a full theatre." (see R. Miles, *Ben Jonson*, p. 131)
35. See Roy strong, *Henry, Prince of Wales*, p. 170.
36. See Ethel C. Williams, *Anne of Denmark* (London, 1970), pp. 133-142.
37. See Rosalind Miles, *Ben Jonson*, p. 141.
38. Stephen Orgel, *The Illusion of Power* (Berkeley and London, 1975), p. 38.
39. Orgel and Strong, *Inigo Jones: The Theatre of the Stuart Court*, 2 vols. (Berkeley and Los Angeles, 1973), I, p. 7.
40. "Introduction", in *Ben Jonson: The Complete Masques*, ed. Stephen Orgel, p. 2.
41. 'The Interpretation of Jonson's Courtly Spectacles', *PMLA*, 61 (1946), 462.
42. *The Symbolic Persons in the Masques of Ben Jonson* (Durham, 1948), p. 26.
43. Jerzy Limon, *The Masque of Stuart Culture* (London and Toronto, 1990), p. 199.
44. *The Symbolic Persons in the Masques of Ben Jonson*, p. 26.
45. *Ibid.*
46. "Introduction" to *Love Freed from Ignorance and Folly*, ed. Norman Sanders, in *A Book of Masques in Honour of Allardyce Nicoll* (Cambridge, 1967; rept. 1980), p. 73.
47. "Introduction" to *Oberon, the Fairy Prince*, edited by Richard Holsey, in *A Book of Masques*, p. 48.
48. Quoted in Stephen Orgel, *The Illusion of Power*, p. 7.
49. Bacon, "Of Praise", *The Works of Francis Bacon*, ed. James Spedding, Robert Ellis, and Douglas Heath, 6 vols. (London, 1887-1892), VI, 502.
50. Stephen Orgel (ed.), "Introduction", in *Ben Jonson: The Complete Masques*, p. 2.

CHAPTER SIX

"th'excesse is her disease": Decadence of the Roman Aristocracy, Jacobean Parellelism and the Art of Government in *Catiline*

There is little doubt that the first decade of Jacobean rule was a period of discontent and frustration for Jonson. The dramatist's work during this period registers notes of such discontent with contemporary society and public affairs. By 1611, when *Catiline* was produced, the poet was becoming increasingly disenchanted with a court that had declined to assimilate the moral purport of his early court masques. Little had the Jacobean aristocracy heeded Jonson's persistent advocacy of an ordered and civilized monarchic state. Instead, Jacobean courtiers had employed the court masque as a show of revelry and extravagance. Gradually various aristocratic ranks emulated in their everyday life the extravagant style of the court, spending lavishly on clothing, entertainments and vast country houses. Nor was Jonson's popular audience more perceptive of the moral messages encoded in his satirical comedies, stressing the need for moderation and contentment.

For Jonson, who had experienced the decadence of the court and the City at first hand, a key solution lay within the power of the poet. The poet "can faine a *Commonwealth*" and "governe it with *Counsels*, strengthen it with *Lawes*, correct it with *Iudgements*, [and] informe it with *Religion*, and *Morals*." Only the poet with "the exact knowledge of all vertues, and their Contraries" can "render the one lov'd, the other hated".¹ The poet's "feigned" ordered world could thus be an alternative for the real unordered realm. At a time of social upheaval of a marked kind, concomitant with a reversal of social values, it was crucial that "virtue" rather than "blood" should be celebrated as a mark of eminence. The aristocracy should, by necessity, be reminded of the "true virtues" which, in their state of ease and

lethargy, they had abandoned. Like many of his contemporary playwrights and historians, Jonson was to assume the duty of moral reformers. He and his fellow intellectuals had to look back to the history of ancient Rome for guidance and inspiration. Lessons from the past could address the preoccupations of the present, particularly those concerned with politics.

I

Roman History and Jacobean Politics

In order to discuss the social and political implications of *Catiline* in contemporary England, it is essential to answer a basic question. What influenced Jonson's decision to base his new tragedy on material derived from Roman history, despite the unsuccessful experience of *Sejanus* a few years previously? Jonson himself does not provide an answer to such a question. However, Jonson's return to the "matter of Rome" can be explained by viewing *Catiline* through the political and intellectual milieux of the day.

Good government and popular obedience were, as in all ages, central concerns of public life in late Elizabethan and early Jacobean England. Equally, in an age marked by factional competition and political intrigues, great emphasis was given to the issue of right personal conduct. The latter preoccupation stemmed primarily from lessons learnt from recent political experiences. The execution of the Earl of Essex in 1601, the political intrigues against Sir Walter Raleigh and Lord Cobham in 1604, and the persistent signs of James's inefficient rule all reflected the bitter realities of political life. The monarch and his courtiers were expected to give priority to the welfare of the nation, not to their own political interests. As has been noted, the early years of James's reign witnessed an upsurge in vice and corruption within the court and the City of London. Decay was spreading on all levels of the royal establishment. In response, intellectuals, educated in the humanist tradition of the classics, looked back to classical authors for inspiration to tackle present ills in the body politic. The history of ancient Rome abounded with

problems analogous to those faced by the Jacobean State. Classical authors such as Tacitus, Sallust, Virgil, Seneca and Plutarch had all concerned themselves with the art of government during times of crisis; they had emphasized the need to preserve virtue and warned against the perils of vice and corruption in public life.

During the first decade of the Jacobean era, members of the Society of Antiquaries, prominent among them William Camden and Sir Robert Cotton (the former Jonson's master at Westminster School, the latter his fellow pupil), were engaged in writing historical material on the influence of the civilization of ancient Rome on contemporary England. Jonson's interest during this period, as will become clear below, must have been in accord with that of his friends in the Society of Antiquaries. Camden's *Britannia*, a major antiquarian work of the period, first published in Latin in 1586, appeared in an English translation by Philemon Holland in 1610. In this work Camden demonstrated the affinity between Elizabethan England and the ancient Roman civilization.

As the Westminster master reconstructed in *Britannia* the history of Roman Britain, his pupil and life-long friend can be said to have attempted in 1611, a year after the publication of the English translation of *Britannia*, to revive the Roman virtues in contemporary England. Experiences vital to the monarch and his advisers would be distilled from classical learning. Jonson would later express his view that classical learning was of great importance to those in charge of the welfare of the State. "Learning" and "Sovereignty," he would argue, were interdependent:

Learning needs rest: Sovereignty gives it. Sovereignty needs counsell:
Learning affords it. There is such a Consociation of offices, between the
Prince, and whom his favour breeds, and they may helpe to sustaine his
power, as hee their knowledge.

(*Disc.*, 65-69, H. & S., VIII, 565)

Further, as Jonson makes clear in his dedication of *Volpone* to the two Universities of Oxford and Cambridge, poetry should seek "to reduce [i.e. restore], not onely the ancient formes, but manners of the scene, the easinesse, the propriety, the innocence, and last the doctrine, which is the principall end of poesie, to informe men, in the best reason of liuing." (H. & S., V, 20)

Uppermost in Jonson's mind when he wrote *Catiline* was no doubt the objective of providing King James and his councillors with political advice culled from the experiences of the past; Roman history was a major mine of valid experiences. Another objective, apparently shared by his master Camden, was the issue of "true" versus "fictitious" nobility. In *Britannia* Camden had sought to "shew with as much brevity as I can ... who have been dukes or earls of them [i.e. "the ancient inhabitants"] since the Norman conquest."² It is also believed that by 1607 both antiquaries were, together with other members of the Society, engaged in political discussions pertaining to contemporary political issues.³ Moreover, by 1610, we are informed, "Camden and Cotton had become interested in history as the story of government" (Sharpe, p. 37).

Jonson had close links with both Camden and Cotton, the latter of whom gave him unlimited access to his impressive library. He was also on friendly terms with Edmund Bolton and the antiquary John Selden, both of whom contributed commendatory verses to his *Volpone* (Sharpe, p. 205). It can thus be inferred that Jonson shared his two friends' interests in classical history and its relevance to contemporary politics. The three men believed that classical scholarship should be employed in the service of the nation; problems and concerns of the present could find solutions in the experiences of the past. Kevin Sharpe suggests that "like Jonson, Cotton and other historians, rejecting the shallow standards of their own age, looked to the values of the great days of Rome as the model for behaviour in public life" (Sharpe, 210).

Political thought, as expressed by historians and literary figures alike during this time, was concerned not with the form of government but with specific government policies in response to certain issues. To the majority of early seventeenth-century Englishmen the ills lay not in the royal institution but in the corrupt individuals and the self-interested councillors of the King. At times of trouble there was an urgent need for advice on the revival of past practices.

Political writers thus stressed the need for a monarch imbued with a sense of responsibility and endowed with political shrewdness (Sharpe, pp. 223-24).

Like his scholarly friends, Jonson was during this period aware of the decline of English society and government. The passage of time had brought corruption on a large scale; by the end of the first decade of Jacobean rule disintegration of the ordered monarchy was a real threat. It was on the fact of change - with its connotation of decline - that the antiquary John Speed, another of Jonson's friends, produced his major work at this time. With the help of Cotton, Speed wrote *The History of Britain*, in which he dwelt on the issue of the changing personalities of English monarchs. He also examined the changing circumstances of the realm - circumstances which had brought periods of prosperity and adversity to England. Fortune and fate, Speed remarked, were partly responsible for the period of strength and harmony which had prevailed during Elizabeth's reign. But change was inevitable.

According to Speed, the state of man is "continually attended by uncertain chance," and fortune "maketh even Monarchs the Balls of her play."⁴ It seems possible that Jonson's choice of the opening lines of the first choral speech (based on Petronius's *Satyricon*)⁵ was partly determined by the view shared by Speed:

Can nothing great, and at the height
Remaine so long? but it's owne weight
Will ruine it? Or, is't blinde chance,
That still desires new states t'aduance,
And quit the old? Else, why must *Rome*,
Be by it selfe, now, ouer-come?

(I. 531-36)

But Speed also believed that the integrity of the state depended ultimately on the wisdom of the monarch and his advisers.⁶ Speed offered the reign of Elizabeth as an ideal model of the well ordered state. That was the time when the throne was occupied by an Augustus-like Queen, when England embraced the ancient Roman virtues and when the court embodied moderation and good deeds.⁷ Jonson, one is made to deduce, had the harmonious era of Elizabeth's reign in mind when he was writing his second extant tragedy. The speech of the Chorus at the end of Act One

reinforces this view. For the same views on the contrast between the bright past and the decadent present of England was also shared by the historian William Camden.

Jonson's master at Westminster School devoted a major part of his work during this period to the revival of the virtues during the Elizabethan era (Sharpe, p. 233 n. 55). Camden, like many of his peers, was aware of social and political decline in Jacobean England. The causes of such decline, he pointed out, were the waste of the royal revenue, the advancement of the wrong men to high offices, and the abandonment of true virtues by the élite of the society. Whereas Elizabethan noblemen were reared in the traditions of war and chivalric feats, Jacobean nobles were becoming "pompous and effeminate" (Sharpe, p. 234). With this background in mind, one is encouraged to interpret Jonson's lines in the Chorus's speech (I. 560-64) - which criticize the effeminacy of the Roman gentry - within the context of the state of the Jacobean court. For the state of affairs in Jacobean England courted wide discontent among contemporary intellectuals. Sir Fulke Greville, a poet and politician, wrote during the reign of James I his *Poems of Monarchy* in which he depicted the decay in society and government.⁸ Like Selden and Speed, Greville looked back to the reign of Elizabeth as the example of good rule and social harmony. The passage of time had brought decline and disorder. Greville saw the remedy in the legislation of good laws:

Laws being good mapps and counsellors that do
Shew forth diseases and redress them too.⁹

This view was shared in 1611 by two Parliamentarians, William Hakewill and Thomas Hedley. They argued during the debates on impositions that good laws reflected wisdom and were the right measures to combat social decay. Sir Robert Cotton also pointed out that good laws should be coupled with experiences derived from the past (both distant and recent), including the Roman past. By this time, courtiers like Francis Bacon, the Earl of Bedford, the Earl of Burghley and the Earl of Northampton all had compiled for themselves lists of maxims, culled from the

classics and from personal experiences, designed as a source of knowledge and guidance in times of political uncertainties (Sharpe, pp. 234-35).

Such knowledge of the past was deemed crucial to the monarch and his councillors in their task to manage the state affairs. By 1613 Cotton himself had compiled his own maxims, entitled "Phrases and precepts very choice gathered by Sir Robert Cotton", and presumably intended as a political manual which could offer James advice on how to respond to specific issues under certain circumstances (Sharpe, p. 235). The "Phrases and precepts" were concerned with issues relating to the choice of royal advisers and favourites and to the role of religion in binding subjects to be obedient to their sovereign: "Religion byndethe a good subiecte to desire a good sovereigne and to bear with a bade" (See Sharpe, p. 236). Rebellion was a heinous crime against the body politic as rebels sought to serve their own interests against the interest of the commonwealth.

Yet Cotton had advice for princes as well, instructing them to govern justly so that their subjects would have no ground for discontent.¹⁰ Harmony or discord in the state, according to Cotton, is dependent upon the monarch's management of public affairs: "discord in musycke grones by strings ill tuned, discord or disurmonie in state by affectyones ill governed."¹¹ Jonson's Cicero is likewise mindful of the responsibility that faces the ruler --

I know well, in what termes I doe receiue
The common wealth, how vexed, how perplex'd
(III. 47-8) --

and promises to employ both "industrie, and vigilance" (l. 33) in the service of the state. Cotton also believed the monarch should select his councillors carefully: "faithe & merite ought to be the attractives of princes affectyones not fortune, fancy or precipitate favoure."¹² In Jonson's words, put in the mouth of the Chorus in Act One, those in charge of political power should

Be more with faith, then face endu'd,
And studie conscience, aboue fame.
Such, as not seeke to get the start
In state, by power, parts, or bribes,
Ambition's bawdes: but moue the *tribes*

By vertue, modestie, desart.

(II. 11.377-82)

To many Jacobean intellectuals, including Jonson and his friends in the Society of Antiquaries, it was becoming clear by 1611 that the reality of Jacobean politics had fallen short of past (particularly, Elizabethan) standards. It was evident that Robert Cotton and his friends who had worked for James's accession to the English throne that the King was not served well by his chosen councillors; the peace and harmony promised by James were discredited by the corruption in high offices at court and in the country. Cotton was able to expose many causes of the corruption that threatened the integrity of the realm when he was commissioned to reform the Navy. He discovered that many of the naval officers had been allowed to occupy their positions not due to merit but by bribing senior officers and by purchasing such positions. Disenchanted with the state of the Navy, Cotton likened England to a ship that urgently needed a good pilot and experienced sailors: "the commonwealth governed by grave councillors is like vnto a Ship directed by a skill full Pylot" (See Sharpe, p. 228). Jonson may have had the same analogy in his mind when he wrote *Catiline*; his Cato stresses the need for an able ruler who can steer the ship of state to safety:

Each petty hand
Can steere a ship becalm'd; but he that will
Gouerne, and carry her to her ends, must know
His tides, his currents; how to shift his sailes;
What she will beare in foule, what in faire weathers;
..... then, to manage her,
Becomes the name, and office of a pilot.

(III. 64-74)

Cotton's and Jonson's serious concern over the state of contemporary affairs emanated largely from the ill practice of the King's advisers. Corruption had entered the royal treasury, and courtiers were dissipating the royal revenue by embezzlement and waste (Sharpe, p. 229). Appropriation of public money by influential courtiers begot the envy of lesser figures, and political factions within the court were inevitably engendered. Extravagance both at court and in the country had weakened the country's wealth. As a result, the Parliament was faced with the

uneasy task of denying the King more money to meet his own financial needs. Waste and opulence then brought penury as the wealth of the nation was monopolized by a few extravagant courtiers. Well might Jonson's *Catiline* be enraged to see "The common-wealth engross'd so by a few,/ The giants of the state, that doe, by turnes,/ Enjoy her and defile her!" (I. 347-49) Meanwhile, those of no influence, no matter how "honest, and valiant", are left to consume corne;/ Or weare out wooll; to drinke the cities water; /Ungrac'd, without authoritie, or marke." (I. 345; 353-58) Amid such a condition of corruption arose the necessity, as Jonson and Cotton believed, of appointing conscientious councillors to serve the King, and of implementing good laws. This preoccupation is reflected in the Chorus's speech concluding Act Two of *Catiline*:

Our *Consuls*, now, are to be made;
O, put it in the publike voice
To make a free, and worthy choice:
Excluding such as would inuade
The common wealth. Let whom we name
Haue wisdom, fore-sight, fortitude,
Be more with faith, then face endu'd,
And studie conscience, aboue fame. (II. 371-78)

II

Catiline His Conspiracy had its first public performance, according to the title-page of the 1616 Folio edition, in 1611 by the King's Men (H. & S., V, 421). The initial performance is believed to have taken place before the end of August when the actor William Eccleston left Shakespeare's company and joined the Lady Elizabeth's Men.¹³ In writing his second Roman tragedy Jonson was certainly expecting a more auspicious reception than that achieved by its generic predecessor. The classical story of Catiline's conspiracy against Cicero and Rome enjoyed considerable popularity in both Elizabethan and Jacobean England.¹⁴ Moreover, Jonson's audience was familiar with the historical conspiracy as it was part of the school curriculum. As has already been noted, two dramatic precedents on the Catilinarian conspiracy had already existed before Jonson's own play: Stephen Gosson's (c. 1579), and a collaboration between Robert Wilson and Henry Chettle

(1598). Neither of the two plays has survived and there is no evidence as to whether Jonson consulted either.

If Jonson had counted on the popularity of the historical episode in his time, the initial reception of the play was to prove disappointing. Rather than being an asset, the audience's familiarity with the Catilinarian plot turned out to be a liability. The audience at the Globe, Jonson bitterly laments, liked the first two acts, "*because they are the worst*," but did not tolerate Cicero's orations, which, he adds, his audience failed to understand ("To the Readers in Ordinarie", H. & S., V, 432).

It is evident in the structure of *Catiline* that Jonson had refused to compromise with his audience over his idea of what "a legitimate poeme" should be. *Catiline* contains a ghost which opens the action and introduces the reader/spectator to ancient Rome. Sulla's ghost evokes memories of a former civil strife. Jonson perhaps meant the ghost to be an analogy to contemporary conspiracies such as the Essex Rebellion and the Gunpowder Plot. *Catiline* also has a Chorus, which concludes and comments upon each of the first four acts. Eight years previously Jonson had deemed "a proper Chorus" both unnecessary and unpractical" (*Sejanus*, "To the Readers", ll. 6-9). Unlike the Germanican group in the former tragedy, the Chorus in *Catiline* is an independent entity which derives its authority from the author. It serves not only as a link between acts, but also as an objective and authoritative commentator on the action. It exposes the vices in the society, warns of the perils of ease and corruption, and emphasizes the urgent need for able rulers who can restore Rome's past glory and maintain its integrity.

Jonson blamed the theatrical failure of *Catiline* on the mediocre taste of his original audience. In his dedication of the play, "the best" *sui generis*, to his noble patron, the Earl of Pembroke, the poet attacked the unintelligence of the time:

In so thick, and darke an ignorance, as now almost couers the age, I crave leaue to stand neare your light: and, by that, to bee read. ("To ... Pembroke", ll. 1-3, H. & S., *Ben Jonson*, V, 431)

It is not hard for the modern reader to appreciate the Jacobean spectator's dissatisfaction with the theatrical production of *Catiline*. The action in *Catiline*, unlike that of the earlier tragedy, concentrates on a single crisis - the conspiracy of Catiline, which does not actually occur. The essence of both the preparation for and the prevention of the conspiracy is rhetoric. Catiline and his associates talk of acting but are subsequently forestalled and defeated by Cicero's words. Even when Catiline's threat does materialize, the action is described rather than presented on the stage.

The lack of dramatic action and theatrical effects, the long speeches of Cicero and Catiline, and the abundance of characters on the stage, may have all contributed then to the theatrical fiasco of the play in 1611. It must be noted, however, that, as is apparent in Jonson's statement to Pembroke, already quoted, the dramatist's bitterness derived primarily from his conviction that the contemporary audience did not in fact appreciate the moral import of his "poeme". His address to the *reader*, both "in ordinarie" and "extraordinary", also suggests that Jonson may have designed the play more as a "closet drama" than as a theatrical experiment according to the current theatrical conventions.

Despite its cool popular reception on the Jacobean stage, *Catiline* elicited the respect of many of Jonson's fellow dramatists. Francis Beaumont, John Fletcher and Nathan Field wrote commendatory verses, praising the high quality of the play. In his poem, Beaumont pithily acknowledges to Jonson that in *Catiline* "lies much Wit/ Lost, till thy Readers can grow vp to it." (H. & S., XI, 325, ll. 7-8) The audience's ability to "grow vp to" (i.e. to understand) *Catiline*, would entail two main requirements: a willingness to rise above the commonplace effects of tragedy, and the ability to assimilate the moral message of the play by discerning its relevance to the contemporary age. But Jonson himself appeals to the enlightened reader -- "the reader extraordinary" -- for a genuine appreciation of the play:

You I would vnderstand to be the better Man, though Places in Court go otherwise.

(H. & S., *Ben Jonson*, V, 432)

However, according to Jonson (and Beaumont), the Jacobean audience failed on both counts. In other words, the play's initial failure was partly the result of the contemporary reader's/ spectator's own failure to recognise the link that the play offered between Roman history and Jacobean society. In this sense, it is ironical that the very ignorance which Jonson condemned in his epistle to the reader of *Catiline* was the cause of the play's ill-reception on the contemporary stage.

III

In the present age *Catiline* has been read as a reference to the Essex rebellion in 1601.¹⁵ In another (and more comprehensive) study the play has been interpreted as a "parallelograph" on the Gunpowder plot in 1605.¹⁶ Both "readings" point to legitimate analogies between Jonson's play and each of the two recent political realities of the period. However, I shall attempt to demonstrate that Jonson's primary concerns in *Catiline* go beyond a specific contemporary event and include more general issues of social and political importance. Relying on the extensive material made available to us through the scholarly work of Lawrence Stone and other historians, I shall endeavour to show that *Catiline* forms an integral part in what has been termed the "crisis of the aristocracy". Jonson's underlying concern in this Roman tragedy is the state of corruption into which the Jacobean nobility were drifting as a result of abandoning their old virtues and turning instead to a life-style of prodigality and dissipation.

The Essex connection

The basic argument in the *Catiline*/Essex analogy is that each of the two leading rebels forms the core of an aristocratic conspiracy against the ruling body, each motivated by thwarted ambition and a desire to seize power and influence. Essex's position in 1600 bears ample similarity with that of *Catiline*. Before his fall from

royal grace, Essex had commanded an extravagant life-style and cultivated a huge clientele of political supporters. Despite the impressive royal grants and monopolies he had enjoyed, his lavish expenditure had far exceeded his personal finances. His fall from royal favour and the Queen's refusal to renew his lucrative Sweet Wine monopoly meant that he could no longer maintain his former extravagant style of living. By the end of 1600 his debts had amounted to almost £25,000 to individuals, in addition to a considerable debt to the Crown. (Stone, p. 483)

With his political prestige waning and his personal finances dwindling, Essex had to face either of two choices. He would either have to abandon his political ambition, dismiss his supporters and reduce his household, or he would resort to an armed rebellion against the monarch. His desperate position forced him to choose the latter alternative.

Similarly, Essex's main aristocratic followers - Rutland, Southampton, Sussex, Bedford, and Mounteagle - were all politically ambitious men, frustrated by serious financial problems and angered to see the royal offices monopolized by the Cecil/Howard alliance. Essex and his supporters had all run into huge debts due to their prodigal and extravagant style of living. Like their leader, they all believed that rebellion against the monarch would provide them with unlimited political power and financial resources to match it.¹⁷

The vivid point of contact between *Catiline* and the Essex Rebellion is thus the financial difficulties of both rebellious factions. In Jonson's play, the leading conspirators complain about the monopoly of power and wealth by Rome's ruling élites for their own benefits (I. 346-403) while he and his supporters suffer from dire financial conditions:

at home, our wants,
Abroad, our debts doe vrge vs; our states daily
Bending to bad, our hopes to worse: and, what
Is left, but to be crush'd?

(I. 406-9)

Catiline then instigates his desperate followers to take arms against the ruling establishment, reminding them with the "rewards" that they would gain:

Behold, renowne, riches, and glory court you.
 Fortune holds out these to you, as rewards.
 Me thinkes (though I were dumbe) th'affaire it selfe,
 The opportunity, your needs, and dangers,
 With the braue spoile the warre brings, should inuite you.
 (I. 411-15)

As Lawrence Stone has pointed out, though the Essexian rebels "had little to gain from a seizure of power," a successful rebellion would have enabled them "to help themselves, if not from the empty coffers, at least from the confiscated property of their enemies" (*op. cit.*, p. 482). It is believed that on the day of the Essex revolt one of the conspirators shouted in the courtyard of Essex house: "Seize the Queen and be our own carvers" (*ibid.*, p. 483). This is clearly paralleled in Catiline's following lines to his associates:

For our reward, then,
 First, all our debts are paid; dangers of law,
 Actions, decrees, iudgements against vs quitted;
 The rich men, as in SYLLA'S times, proscrib'd,
 And publication made of all their goods;
 That house is yours; that land is his; those waters,
 Orchards, and walkes a third's; he has that honour,
 And he that office ...
 (I. 453-60)

Whether Jonson had the Essex Rebellion in particular in mind when he wrote this part of his play is doubtful. It is more possible that Jonson was referring to revolts in general, emphasizing the danger of dissipation and individual misconduct in the political arena. For within the same perspective of the Essex Rebellion, the so-called Main and Bye plots of 1603 can be explained as consequences of thwarted ambition of courtiers who, having led a life of extravagant opulence, found themselves threatened with the loss of power and influence. Raleigh's fall from royal favour after James's accession to the throne and as result of factional in-fighting between his group and the Cecil/Howard alliance left him with considerable financial problems. Similarly, his two associates, Lord Cobham and Lord Grey of Wilton were both suffering from financial burdens and had virtually no prospects of royal favour under the new monarch. In short, the Essex Rebellion in 1601 and the alleged plots of 1603 had the main ingredients for aristocratic conspiracies against

the State: increasing financial problems, the lack of royal rewards, and discontent among courtiers who saw royal favourites monopolizing high offices.

Catiline also bears obvious similarities with the Gunpowder Plot in 1605. Contemporaries, including James himself, noticed the analogy between Catiline's conspiracy against Cicero and the Senate, on the one hand, and the Powder plotters' attempt to murder King James and his Parliament, on the other. Many passages in Jonson's play draw specific parallels to the Popish plot. The Roman conspirators' "solemn sacrament" (I. 423), taken at the outset of the play to strengthen their resolve, parallels the ritual of the recusant plotters; the subsequent references to the "sacrament" in the play highlight this blasphemous ritual. Jonson's Cicero, endeavouring to dissuade Curius from continuing his association with the conspirators, reminds him that "no religion binds men to be traitors" (III. 369). The two references must have been recognised by Jonson and his attentive spectators as obvious anachronisms intended to allude to the Gunpowder Plot.

Jonson's Roman play also abounds in references to fire, gunpowder and explosions, all of which may be taken as topical allusions to the Popish plot.¹⁸ One of the adroit and most obvious references to the Gunpowder Plot in Jonson's play occurs in Cicero's speech to the Senate, informing them that Catiline's intention "was, on the fifth (the kalends of *November*)/ T'haue slaughter'd this whole order" (IV. 246-47). Though this date is based on the ancient Roman system, the line, taken at face value by the less educated among Jacobean audience, would have been taken as a direct reference to the Gunpowder Plot, which had occurred on 5 November, 1605, and was intended to blow up both King and Parliament, "this whole order."¹⁹

One may, however, ask the legitimate question as to why Jonson chose to reflect upon the Gunpowder Plot almost six years after its occurrence. The answer is partly to do with Jonson's religious position in 1611, partly with the state of the body politic and partly with Jonson's attitude to Jacobean politics at this time. In 1610 an event had occurred which may have influenced Jonson's reconversion to

the Anglican Church and consequently his writing of *Catiline*. On 14 May King Henry IV of France was assassinated by a religious fanatic, François Ravallac. The assassination increased James's fears for his own life. He later observed that Ravallac belonged to an international faction of Papists whose main objective "was not at [Henri] alone but at other princes too, whereof I assure you I was one."²⁰ As a consequence, on 2 June James issued a proclamation forbidding English Catholics from "repair[ing] ... to our court, or to the Court of our dearest wife the Queen, or of the Prince our Dear Son wheresoever." He also stressed that his Catholic subjects should swear the Oath of Allegiance to the King of England, renouncing the authority of the Pope (*ibid.*).

These circumstances, coupled with Jonson's disenchantment with the Catholic church over the Powder Plot a few years previously, may have influenced his decision to rejoin the English church in 1610. To lose access to the courts of the three leading royals would undermine his position as a court poet. To be denied access to Prince Henry's court, in particular, Jonson would be deprived of a prominent literary patron. The Prince was at this time becoming a focal point of an increasingly popular circle of militant Protestants.

Thus, Jonson's return to the Protestant faith was, perhaps, if nothing else, a matter of expediency. Jonson later told Drummond that "at his first communion" and "in token of true Reconciliation, he drank out all the full cup of wine" (*Conversations*, 315-16). Bearing in mind Jonson's special liking for wine, it is hard to decide whether drinking "the full cup" meant a "token of true Reconciliation" or merely a politic measure to serve his own interests.

Although Jonson, as we have seen in the previous chapter, remained somewhat detached from Prince Henry's clique, he must have sought the Prince's patronage to a certain degree. For Jonson had by this time lacked any effective patronage at court. His connections with Salisbury had not borne any fruits since the poet was commissioned to track down the Papist plotters in 1605. Jonson later told his host at Hawthornden that Salisbury "never cared for any man longer nor he

could make use of him." (*Conversations*, 353-54, 325) Northampton, the power-sharer with Cecil, was almost certainly still Jonson's "mortall enemy".

By 1611 Jonson had already started cultivating connections with two rising courtiers, The Earl of Pembroke and Sir Robert Sidney. Both men were associated with Prince Henry's Protestant group. Through the former, to whom Jonson dedicated the 1611 quarto of *Catiline*, the poet would ingratiate himself with both the Prince and the Earl of Salisbury. For Pembroke and his brother the Earl of Montgomery were then on good terms with Salisbury.²¹ But Jonson, however, did not consider Pembroke and Sidney as stepping stones; he was also impressed, as will be seen, by their aloofness from the opulence of the court.

The high esteem in which Jonson held both figures is apparent in the epigrams he was to dedicate to them one year after *Catiline* was produced. To Pembroke, "The Great Example of Honour and Vertue," Jonson would dedicate "*the ripest of my studies, my Epigrammes*" ("Dedication", l. 4, H & S., *Ben Jonson*, VIII, 25). In this dedication Jonson would celebrate his patron's title of nobility, which is the corollary of virtue and worthiness. "While you cannot change your merit," he would address the Earl, "I dare not change your title: It was that made it, and not I." (l. 1, H. & S., *ibid.*) Jonson's epigram 102 sets Pembroke as an example of moral integrity in a political world marked by what Jonson calls a "strife/ Of vice, and vertue" (ll. 5-6; H & S., VIII, 66). In this uncertain climate of factional politics, ambitious courtiers "follow vertue, for reward, to day;/ To morrow vice, if she giue better pay" (ll. 9-10); being 'good' or 'bad' at court depends merely on the political prestige one can gain, "As nothing else discerns the vertue or vice" (ll. 11-12). Conversely, Pembroke, "whose noblesse keeps one stature still,/ And one true posture, though besieged with ill/ Of what ambition, faction, pride can rise," is "reuerenced" as a moral example to be followed by those wishing to maintain the integrity of the commonwealth (ll. 13-15; 19-20).

Similarly, in the poem "To Penshurst", as will be noted below, Jonson acclaims Sidney's high-mindedness, and pays tribute to his qualities of moderation

and integrity. "To Sir Robert Wroth" is another laudatory poem in which Jonson praises the noble qualities of Sidney's son-in-law for distancing himself from the corruption that pervades both the City and the court. As will be seen below, the cult of Jonson's commendatory poems to members of the Sidney and the Herbert families is an extension of Jonson's preoccupation during this period with the issue of true nobility - an underlying theme in *Catiline*.

IV

Sallust provided Jonson not only with a true story that impinged upon topical issues in Jonson's day, but also with a political atmosphere that strikingly resembled that of early Jacobean England. Like Jonson, Sallust had an inclination towards politics, and was equally dismayed by the political realities of his time:

Self-restraint, integrity, and virtue were disregarded; unscrupulous conduct, bribery, and profit-seeking were rife.²²

It was this state of public affairs that had led Sallust "to write accounts of some episodes in Roman history that seemed particularly worthy of record." (*ibid.*) It is hardly surprising, then, that Jonson decided to dramatize the historical conspiracy of Catiline: the social and political circumstances in ancient Rome bear considerable similarity with those that prevailed in Jacobean England.

The vices that Catiline and many of his associates had acquired were shared, as Jonson must have realized, by many Jacobean courtiers. The Roman conspirator was "of noble birth"; "he was as covetous of other men's possessions as he was prodigal of his own," and his ambition "hankered continually after things extravagant, impossible, beyond his reach" (*Cat.*, translated by Handford, p. 178). Yet, Catiline was simply the natural product of a corrupt society "plagued by two opposite but equally disastrous vices - love of luxury and love of money." (*ibid.*) Having abandoned their traditional virtues of honour, valour and integrity, the Romans had become enslaved to "love of money" and "lust for power." (*ibid.*, p. 181) As will be seen below, Jonson used the material found in Sallust most aptly as

to highlight the direct relevance of the issues raised in the historical episode to his contemporary society.

"Those proud, ambitious heaps": Aristocratic Extravagance and the 'prodigy houses'

One of the major passages which make an intriguing analogy to the corruption of the Jacobean aristocracy is made by Catiline himself. In his address to his fellow conspirators in the first Act, he verbally attacks those whom he calls "The giants of the state" -the nobility- who monopolize the wealth of Rome for their private gains (I. 348). Jonson elaborates on what in Sallust is a single sentence: "Quum tabulas signa toreumata emunt, nova diruunt, alia aedificant, postremo omnibus modis pecuniam trahunt vexant, tamen summa lubidine divitias suas vincere nequeunt" (Sallust, *Catiline*, ch. 20, 12). One needs only to compare the translation of the line with its correspondence in the play (I. ll. 484-403) to see Jonson's impressive adaptation. The translation of the line is as follows:

Though they buy pictures, statues, and vessels of chased metal, though they pull down new houses to build others, laying waste their wealth and making inroads upon it in every imaginable way, yet all their extravagance cannot exhaust it.²³

Catiline's speech (374-403) is also of special interest here for the remarkable analogy it makes to Jacobean aristocrats. Rome's "few" dissipate the state's wealth on "their riots, eating, drinking, building" (I. 1. 378); "They ha' their change of houses, manors, lordships" (l.382), and they spend lavishly, out of Rome's wealth, on rare properties and extoic food and drink (ll. 384-391). Catiline's speech (I. ll. 326-402), which includes the lines 384-91, is taken mainly from Sallust's account of the Roman conspiracy, chapter 20. Jonson characteristically makes a close translation of the historical report. However, it strikes the reader, who is aware of Jonson's sources, to notice that the lines 388-91 are not in Sallust but are in fact taken from another source.²⁴ The lines in Jonson's play describe the extravagant style of life led by Rome's influential figures. It leaves little doubt that Jonson's

reliance on other sources in this passage was primarily determined by his need to establish a passage warranted in a classical source, yet could reflect the over-glamorous life-style of Jacobean courtiers.

Of particular interest in Catiline's address to his fellow conspirators are two references to the Roman gentry. The first reference is "they powre [their "treasure"]/ Out i' their riots, eating, drinking" (ll. 377-78). It is intriguing to note that this part of the speech is not in the sources; Sallust's report of Catiline's speech simply refers to the waste of the Roman wealth on "building out into the sea and levelling mountains" (tr. Handford, p. 189); there is no mention of "riots, eating, drinking." The second reference in the speech is of similar significance: "They ha' their change of houses, manors, lordships" (l. 382). The original line in Sallust (*Catiline*, 20. 12) reads: "They have two, three, or four houses *joined together*."²⁵ This exceptional (albeit slight) departure from the classical source is significant as Jonson's line lends itself as a correspondence to a major contemporary aspect of the Jacobean courtier's way of extravagant life.

Catiline's reference to the building, by the Roman gentry, of exceptionally expensive buildings parallels the enormous country mansions -the "prodigy" houses- which many Jacobean aristocrats were raising in the early years of the reign. Such exquisite country houses were built as a show of wealth and as a sign of social status. Another aim behind such buildings was to entertain the monarch or other aristocratic guests on one of the summer progresses.²⁶ Examples of such extravagant mansions are numerous. The Earl of Suffolk, for instance, built an incredibly expensive mansion at Audley End, as a country seat for the Howards, and a park at Charlton. The Earl of Northampton, one of the influential figures in the new reign, built a mansion at Chiswick and another known as Northampton House. The Earl of Northumberland erected a stately home at Syon; the Earl of Dorset at Knoles; the Earl of Dunbar at Berwick; the Earl of Westmorland at Apethorpe; the Earl of St. Albans at Somerhill; and Lord Digby at Sherborne.²⁷ Lord Zouch also built an enormous house at Bramshill.²⁸ Such exquisite buildings

cost enormous amounts of money. It is reported, for instance, that the Earl of Salisbury spent £40,000 on building Hatfield between 1608-1612. The cost of the Earl of Suffolk's Audley End mansion has been estimated at over £80,000, though Suffolk himself claimed the cost ran up to £200,000.²⁹ Jiggistown mansion, another notoriously expensive building, is believed to have cost the Earl of Strafford £22,000. The cost of Berwick House for the Earl of Dunbar is put on an estimate of £20,000. Viscount Saville spent £300,000 to build Campden House, while Horthfield mansion cost the Earl of Thanet as much as £32,000. (*ibid.*, p. 555)

Of equally considerable significance to contemporary court-life in Catiline's speech are the lines (I. 392-403). Rome's gentry neglect "Their ancient habitations .../ And set vp new ..." Similarly, many Jacobean aristocrats rebuilt new estates to replace old ones or lavishly refurbished existing, but less extravagant, residences. Such competition among courtiers was generated both by envy and the intention to match or even outdo each other's display of wealth and status. This practice echoes Catiline's lines, quoted above, and mirror the over-building by the Jacobean gentry who, like the Roman "giants of the state", neglect their "ancient habitations" and "set vp new" (II. 392-3). For during the early years of James's reign, the Countess of Shrewsbury built a pleasure-dome, the New Hall at Hardwick, which stood next to the Old Hall.³⁰ Cecil himself also remodelled Beaufort House in Chelsea and rebuilt the famous Cranborne Manor in Dorset.³¹

One of the most expensive of such Jacobean 'prodigy houses' of the period was Cecil's country seat at Hatfield, which he had acquired from James. Attempting to reflect both the enormous wealth and the political power he had, Cecil went into great lengths of extravagance in planning and furnishing his new estate. The extent of the excessive expenditure that went on designing Hatfield House is provided by Akrigg in his informative *Jacobean Pageant*. A large number of carpenters, wood carvers, bricklayers, plasterers and glaziers were employed to erect and decorate Cecil's mansion. Similar care and cost also went into designing the gardens of the estate. Fruit trees and flowers were brought specially from

France and the Low Countries. Sycamore trees were also imported from the Netherlands. The French ambassador contributed thirty thousand vines for the vineyard. Moreover, five hundred mulberry trees were also provided, as King James was interested in starting an English silk industry.³²

Catiline's lines "then, if the eccho like not/ In such a roome, they pluck downe those, build newer," (393-4) also reflect, though remotely, the fact that in Jacobean England "Many country houses were built from monastic rubble."³³ Lawrence Stone points out that Cecil himself "was pulling down part of St. Augustine Abbey, Canterbury, to provide building stone for Hatfield. (ibid.)

The fact that Jonson puts these lines against the gentry in Catiline's mouth does not in fact diminish the seriousness of the criticism. For Jonson's decision to make Catiline voice his censure against the influential in Rome serves the dramatic purpose of highlighting the fact that ease and ostentation engender envy and corruption and encourage plots against the state. That this is so is evident in the Chorus's reiteration, at the end of the Act, of the purport of Catiline's speech: the plight of Rome is the natural result of its own "plentie, wealth, and ease", as Rome

builds in gold; and, to the starres:
As, if shee threatened heav'n with warres ...
(I. 551-52)

Jonson's main concern over the spread of fantastic buildings in the country was because of the heated rivalry between courtiers of great wealth and those with lesser fortunes, attempting to emulate the former's overspending. Such criticism against the Jacobean nobility was common in Jonson's day. Sir Henry Slingsy commented how during this period in Yorkshire "we see an emulation in the structure of our houses"; another Jacobean similarly noted how "No kingdom in the world spent so much in building as did in [King James's] time."³⁴

V

Aristocratic Perversion: "The eccesse of Feasts, and apparell, are the notes of a sicke State" (*Disc.*, 956-57; *H. & S.*, VIII, 593)

It has been noted earlier that *Catiline* makes references to the gentry's excessive expenditure on banquets and exotic food as a show of wealth and social status. Catiline in his address to the conspirators in Act One is made to criticize Rome's nobility for squandering their "treasure" on "their riots, eating, drinking" (l. 378). Rome's nobles are voluptuaries and gluttons:

The riuer *Phasis*
 Cannot affoord 'hem fowle; nor *Lucrine* lake
 Oysters enow: *Circei*, too, is search'd
 To please the witty gluttony of a meale!
 (I. 388-91)

The Chorus, concluding the same Act, repeats the reproach of Rome for the state of profligacy that marks the life of its nobility:

They eate on beds of silke, and gold;
 At yuorie tables; or, wood sold
 Dearer then it: and, leauing plate,
 Doe drinke in stone of higher rate.
 They hunt all grounds; and draw all seas;
 Foule euery brooke, and bush; to please
 Their wanton tast[e]s: and, in request
 Haue new, and rare things; not the best!
 (I. 565-72)

The profligacy of the Jacobean aristocracy was no less notorious than that of their Roman counterpart as portrayed in *Catiline*.³⁵ Jacobean nobles provided a wide variety of exotic food to their frequent guests on various occasions. The Jacobean court even supplied the nobility with generous food allowances to help with the cost of such extravagant entertainments. This tradition was not a novelty in Jacobean England; it dated back to the Middle Ages and was common during the reign of Elizabeth.³⁶ The novelty during James's reign, however, was the provision of "Trimalchian" variety of exotic food on special occasions. (*ibid.*) This was a distinctive feature of aristocratic entertainments in Jacobean England. Banquets teemed with various kinds of meat, poultry, and fish in order to cater for the diverse and sophisticated palates of aristocratic guests. On one occasion during this period an aristocratic banquet included sixty-three varieties of birds and seventy-two of fish (*ibid.*). These exotic items supplemented the usual dishes of sheep, lamb, pork, veal, chicken, pigeons and rabbits. Consumption was on an

astonishing scale. The household of Lord Lumley is reported to have consumed about 1,600 rabbits in 1608, while in 1611 the Earl of Rutland and his household were fed on 2,400 rabbits (Stone, p. 559). The size of such feasts was necessary to match the large number of the guests. On one day in October 1612, for instance, the second Earl of Salisbury entertained 7 guests together with their 33 attendants, in addition to his own staff of 84 members. Only a week later he played host to 13 guests with their 120 escorts (*ibid.*).

Yet, expensive food was only one item in a list of luxuries on which the Jacobean gentry dissipated their wealth and that of the nation. For Jacobean noblemen spent equally lavishly on fashionable, but not necessarily tasteful, clothes. King James himself and his Queen set the precedence in this respect. Between 1608 and 1613, in particular, their expenditure on clothes ran at a very high cost: in a single year the royal couple spent over £1,000 on silk material only, and in 1611 alone they furnished their wardrobe with material at a cost of over £25,000. Queen Anne paid in just over a year £1,900 to her mercer, £4,000 to her silkman, and £2,000 to her embroider.³⁷ Soon, the court, the city, and the country were following the royal couple's lead in expenditure on fashion and extravagant clothes. London then became a centre for the latest vogues in fashion. Country wives, no longer satisfied with their dowdy costumes, tried to take part in a hard competition for elegance. One may glance at contemporary descriptions of the extravagant costumes worn by court ladies attending masque entertainments to get an idea of the extent of lavishness on clothes that distinguished the time. Hence, one is led to discern an intended and genuine parallel between the English ladies and their Roman counterparts in the Chorus's lines at the end of Act One:

[Rome's] women weare
The spoils of nations, in an eare,
Chang'd for the treasure of a shell;
And, in their loose attires, doe swell
More light then sailes, when all windes play.
(I. 555-59)

Such extravagance persisted and was met with criticism which sometimes had, interestingly, a Jonsonian tone. In 1614, for example, a Parliamentarian would angrily complain that "women carry manors and thousands of oak trees about their necks."³⁸

Yet, Jacobean men were not far behind women in their obsession with extravagant clothes. Such obsession was stimulated partly by the intention to match James's own extravagance. But more importantly it was instigated by the desire to catch the eye of the allegedly homosexual King who had a special liking towards handsome men, as it had been to please the philandering Elizabeth before him. As a result, Jacobean courtiers acquired a taste for silk, satin, embroidery and even gold and silver lace, as well as jewellery. Examples of the effeminate and ornate costumes of Jacobean courtiers are again provided in Stone's remarkable work. Lord Sidney is, for instance, believed to have attended the Christmas masque of 1603 dressed up in an outfit which had cost him £220. During the celebrations marking the investiture of Henry as Prince of Wales in 1609, the first Earl of Salisbury appeared in an extravagantly embroidered suit. A few years later, he also appeared in a court entertainment wearing a suit, decorated with pearls, the cost of which was allegedly £250. (*ibid.*) Such figures are hardly surprising, given the high quality of material that went into the courtiers' costumes. In 1610, the Earl of Rutland is known to have spent £53. 15.s on the velvet material and the ermine that formed his parliament robes. Within the same period, the Earl of Salisbury bought cloths of satin and velvet at high costs. The Jacobean nobility no longer represented the virility and the chivalric traits of their predecessors; on the contrary, they were becoming morally corrupt and effeminate. Jonson's lines in the choral speech concluding the first Act draws an unmistakable parallel to such courtiers:

Yet, are the men more loose then they [women]!
 More kemb'd, and bath'd, and rub'd, and trim'd,
 More sleek'd, more soft, and slacker limm'd;
 As prostitute: so much, that kinde
 May seeke it selfe there, and not finde.

(I. 560-64)

Corrupted by ease, sensuality and luxuries, the nobility have long abandoned the traditional feats of war and chivalry:

These, whelm'd in wine, swell'd vp with meates, and weakned
With hourelly whoredomes ...

never

In riding, or vsing well their armes,
Watching, or other militarie labour,
Did exercise their youth; but learn'd to loue,
Drinke, dance, and sing, make feasts, and be fine gamsters.
(V. 35-36; 37-42)

To Jonson political corruption and both sensuality and perverse sexuality are well interwoven in the story of the Roman conspiracy. From the outset of the play, greed and sensual delights are seen as the primary motives for the rebellious aristocrats. Catiline tells his wife that his objective behind the conspiracy is "how to raise thee.../ To make some act of mine answere thy loue" (I. 121-22). He harps on his dupes' lust for sensual pleasures in order to bind them to his ill cause; he urges Aurelia:

Get thee store, and change of women,
As I haue boyes; and giue 'hem time, and place,
And all conniuece: be thy selfe, too, courtly;
And entertayne, and feast, sit vp, and reuell;
Call all the great, the faire, and spirited *Dames*
Of *Rome* about thee; and beginne a fashion
Of freedome, and community.

(I. 171-77)

Women in *Catiline* are portrayed as a contributory factor to the pervasive corruption in Rome. They are another item of the sensual delights offered to satisfy the degenerate members of the aristocracy. At the outset of the play, Sulla's ghost instigates Catiline to rebel against Rome by reminding him of his former acts of sexual perversity:

Be still thy incests, murders, rapes before
Thy sense; thy forcing first a *Vestall* nunne;
Thy parricide, late, on thine owne onely sonne,
After his mother; to make emptie way
For thy wicked nuptialls; worse, then they,
That blaze the act of thy incestuous life,
Which got thee, at once, a daughter, and a wife.
(I. II. 30-6)

The association between sexuality and political ambition continues as the play progresses. Catiline encourages Aurelia to provide whores to prospective conspirators and to "hazard honours/ A little" (I. ll. 168; 170-71). Sempronia, a prostitute and supporter of Catiline, is, we are told, "liberall" "of her money" and "her honour" (II. ll. 53; 54). Fulvia, a younger and more popular prostitute than Sempronia, is frequented by many "great *Patricians*" (II. l. 151), who "all giue, and pay well ... and that, iewells, pearle,/ Plate, or round summes" (II. 177-79). As has been noted in the introduction, many aristocrats have dissipated their wealth on prostitutes. Like Witt-good in Middleton's *A Trick*, Curius, an aristocrat, has been impoverished through his association with Fulvia, and is now denied access to her because

His good gifts are done.
He do's not yeeld the crop that he was wont.
(II. 164-65)

The role of women in Jonson's *Catiline* is also metaphorical. It uncovers the decay and corruption within the body politic, which are hidden under a semblance of wealth and luxury. The dialogue between Fulvia and her attendant Galla in Act Two emphasizes this point. Galla tells her mistress that Sempronia "dresses her self .../ One o'the best in *Rome*: and paintes, and hides/ Her decayes very well." (II. 60-2) Fulvia adds that "it is/ Rather a visor, then a face shee weares" (l. 63). Orestilla, Catiline's wife, is "all / Iewels, and gold sometimes, so that her selfe/ Appeares the least part of her self." (II. 73-5)

The most grotesque imagery of women and perverse sexuality in the play is expressed by Catiline. He perceives his country as a mother, himself as an ungrateful son and his rebellion as a wicked reenactment of parturition:

If shee can loose her nature, I can loose
My pietie; and in her stony entrailes
Dig me a seate: where, I will liue, againe,
The labour of her wombe, and be a burden ...
(I. 92-5)

In this sense, Catiline is not only a political traitor but also an apostate. He later perceives Rome as a woman subjected to a gang-rape, "engross's so by a few,/ The giants of the state, that doe, by turnes,/ Enjoy her and defile her" (I. 347-49)

Disenchanted with a nobility that had brought disgrace upon the very title, Jonson conveys his perception of the true meaning of nobility - not the nobility of blood and titles, but that of honour and virtue. In sharp contrast to the corrupt nobility that this play recurrently censures, Jonson sets Cicero, a new man with no noble background, as a paragon of virtue. Cicero unashamedly admits he has "no vrnes; no dustie moniments;/ No broken images of ancestors ... to boast false honours from." (III. 14-15; 17) To those who still cherish virtue he is "dignified" and "preferd/ To all competitors; and some the noblest" (III. 20; 26-27). Yet to his enemies, the corrupt patricians, he is "A meere vpstart,/ That has no pedigree, no house, no coate,/ No ensignes of a family" (II. 119-21). Much have the standards of "nobility" deteriorated that no ability is required from its members but pedigree and past glories of their ancestors. But is not virtue a prerequisite of true nobility? To Sempronia, a sophisticated *hetaera* and stalwart supporter of nobility, "where there is no blood: 'tis vice" (II. 122). The days when "'Twas vertue onely .. made all men noble" (I. 127) are long gone, for that was "in *Romes* poore age;"

When both her Kings, and *Consuls* held the plough,
Or garden'd well: But, now, we ha' no need
To digge, or loose our sweat for't.

(II. 129-31)

Again, a clear image of the Jacobean nobility crystalizes in Sempronia's lines as the "noble" lady boasts of how wealth has become the yardstick by which virtue is measured:

We haue wealth,
Fortune and ease, and then their stock, to spend on,
Of name, for vertue; which will beare vs out
'Gainst all new commers: and can neuer faile vs,
While the succession stayes.

(II. 131-35)

Sempronia's lines betray, through a dramatic disguise, the envy of the hereditary Jacobean nobility against the *nouveaux riches*, "the new commers" to the ranks of

honours. In a morally corrupt society, only the lavishness of the former would distinguish them from the latter. Amid this atmosphere of "wealth, fortune, and ease", the nobility maintain, there is no need for virtue. Hence Sempronia's objection to the prospects of Cicero being elected consul in Rome:

And, we must glorifie,
A mushrome? one of yesterday? a fine speaker?
(II. 135-36)

But the deprecating epithets given to Cicero by the aristocratic conspirators are ineffective as the first two Acts of the play have shown the misplaced values of the patrician conspirators. But Cicero, though "a new fellow" (II. 115) derives his credibility in Rome from his moral and political credentials. He is the answer to the Chorus's prayers at the end of Act Two for a leader who embodies the old Roman virtues of "wisdom, foresight, fortitude," and who values "conscience, above fame" (II. 376-78). Cato maintains that "Our need made thee *Consul*, and thy virtue" (III. 57). Lineal descent is, therefore, under the given circumstances of politics irrelevant. The urgent political need for a politician who can save the country from the imminent danger posed by Catiline and his associates surpasses all other considerations.

Cicero's authority in Jonson's play is supported by the art of oratory for which the consul was much acclaimed in his day. To Cicero, Rome is "our common mother"; He tells Curius, one of Catiline's followers, "No child can be too natural to his parent" (III. 366; 365). Jonson's Cicero in this respect reflects the Jacobean patriarchalism, which sustained authority both in the state and in the family. Derek Hirst, in his *Authority and Conflicts*, comments on this ideology:

The influential puritan Richard Sibbes surely had society as well as theology in mind when he wrote, "The word 'Father' is an epitome of the whole gospel." The fifth commandment, "Honour thy father and mother," was, despite its reference to both parents, the most frequently cited justification of obedience to political authority in the seventeenth century.³⁹

Due to Cicero's political astuteness and moral integrity, together with his effective rhetorics, Catiline's conspiracy is forestalled and Rome saved.

Jonson and the Virgilian Country House Poems

That Jonson was at this period preoccupied with the issue of "true" versus "fictitious" nobility in *Catiline* can be further demonstrated in his poem *To Penshurst*. The poem first appeared in print as the second poem in *The Forest* in 1612. Jonson would make a fresh (indirect but less bitter) attack on the Jacobean nobility through his praise of Sir Robert Sidney, an example of true nobility.

To Penshurst combines praise and admonition by means of the negative constructions it employs. The poem begins by stating what Penshurst is *not* in terms of architecture, thus contrasting its simplicity with the ostentation of the edifices of the *nouveaux riches*. Unlike its contemporary "prodigy" houses, Penshurst is *not* "built to envious show" (l. 1); it has *not* "polish'd pillars, or a roofe of gold" (l. 3). Neither has Penshurst "lantherne, whereof tales are told" (l. 4). The couplet (ll. 7-8) invokes four elements of Nature to contrast the natural components of Penshurst with the artificiality and opulence of other country residences. In marked contrast to the ostentatious buildings of some of the gentry, Penshurst joys "in better markes, of soyle, of ayre,/ Of wood, of water" (ll. 7-8).

Many notions in *To Penshurst* significantly look back to parts in *Catiline*, particularly those commented upon by the eponymous character and the Chorus in Act One. However, it must be noted that the tone and the emphasis of the commendatory poem suggest not only admonition, as is the case with the Roman tragedy, but also praise. Whereas the Roman gentry (and, by implication, the Jacobean gentry) neglect "Their ancient habitations .../ And set vp new" (*Catiline*, I. 392-93), Penshurst is built on "an ancient pile" (*To Penshurst*, l. 5). While such new edifices are "grudg'd at", Penshurst is "reverenc'd the while" (*To Penshurst*, l. 6). In building their expensive mansions, the Roman gentry, as has been seen, "by all franticke wayes,/ Vex their wild wealth, *as they molest the people*,/ From whom they force it!" (*Catiline*, I. ll. 395-97; emphasis added). Similarly, the odious edifices of the Jacobean nobility are "grudg'd at" because to build them the noble

owners had to dislodge their former tenants in order to pay for their own extravagance. In contrast, Sidney's estate incurs only the reverence and love of its neighbours;

And though thy walls be of the country stone,
They are rear'd with no mans ruine, no mans grone,
There's none, that dwell about them, wish them downe.
("To Penshurst", ll. 45-7)

While the gentry's expensive "Bathes, orchards, fish-pooles" (*Catiline*, I, 399) are looked upon with a grudge, Penshurst's orchard and garden yield fruits which "Hang on thy walls, that every child may reach" (l. 44). In *Catiline*, we are told, the gentry search for natural substances "for which the earth hath lost/ Most of her ribs, as entrailes! being now/ Wounded no lesse for marble, then for gold." (*To Penshurst*, ll. 2; 3) but Penshurst enjoys the "better markes" of Nature's elements: "soyle, ...ayre, ...wood, ... [and] water" (ll. 7-8). In short, in opposition to the Roman gentry's monopoly of wealth which incurs envy and gives rise to extremism, Sidney's Penshurst epitomizes "plentie", "hospitalitie" and social harmony (ll. 41-44; 48-75). The references in *To Penshurst* to the Roman tragedy a year earlier are seen to contrast the theme of moderation in the poem with that of excess and ostentation in the Roman tragedy. Through *Catiline*, Jonson admonishes the gentry's excessive expenditure on food, among other necessities. The Roman (hence Jacobean) gentry search rivers and lakes for food only in order "To please the witty gluttony of a meale" (*Catiline*, I. 391). In contrast, Sidney's "deere", "sheepe", "bullocks" and pheasants are there to provide necessary food when "thou would'st feast, or exercise thy friends" (ll. 20, 23, 28, 21).

As has been noted earlier, Jonson had in mind the opulence and prodigality of the Elizabethan and Jacobean gentry when he came to write the lines (388-91) in *Catiline*. It has also been noted that the English gentry consumed a wide variety of marine food in extraordinary amounts. In sharp contrast to the gluttony of the Roman gentry, the moderation of Sidney's consumption of the same is emphasized and reflected in the unusual harmony between man and fish; the latter are willing to

be caught and consumed by the inhabitants and guests of Penshurst as a supplementary diet:

And if thy high-swolne Medway faile thy dish,
 Thou hast thy ponds, that pay thee tribute fish,
 Fat, aged carps, that runne into thy net.
 And pikes, now weary their owne kinde to eat,
 As loth, the second draught, or cast to stay,
 Officiously, at first, themselves betray.
 Bright eels, that emulate them, and leape on land,
 Before the fisher, or into his hand.

("To Penshurst", ll. 31-38)

A central theme in Jonson's poem is the position of Penshurst in the hierarchy of Jacobean society. The estate's relations with men of inferior rank than that of Penshurst ("the farmer, and the clowne" [l. 48]), with those of equal status (guests, including Jonson himself -ll. 64-75), and those of superior rank (King James himself on his visit to the residence - ll. 76-81), are established and emphasized. That Jonson's poem *To Penshurst* is meant as a continuation to the argument on the issue of the gentry in *Catiline* is also distinct in the last fourteen lines of the poem. Such lines emphasize piety, patriotism and chastity, the antitheses of which are exposed and reproached in the Roman tragedy a year previously. The unchastity of women in *Catiline* is contrasted with the nobility and chastity of Sidney's wife (l. 90). Similarly, the piety of Sir Robert Sidney and his offspring is set in opposition to the irreligiousness of the Roman conspirators. Unlike Catiline and fellow-conspirators who rebel against Rome, their "common mother", Sidney's children are as much King James's (and, by implication, their country's) as they are their father's (l. 91). Besides, in opposition to the sloth and effeminacy of the Roman (and the Jacobean) gentry (*Catiline*, V. 38-42), the young Sidneys are taught "The mysteries of manners, armes, and artes" (*To Penshurst*, l. 98). No elsewhere is the contrast between the "prodigy" houses and Penshurst, as well as between "true virtues" and spurious nobility, more aptly and succinctly juxtaposed than in the last four lines of Jonson's commendatory poem:

Now, PENSHURST, they that will proportion thee
 With other edifices, when they see
 Those proud, ambitious heaps, and nothing else,

May say, their lords have built, but thy lord dwells.
(ll. 99-102)

The "proud, ambitious heaps" is a metaphorical reference to both the moral and physical decadence of the gentry - an idea introduced in the opening lines and emphasized, by means of negative contrasts, throughout the poem. The concluding couplet sets an intrinsic difference between Penshurst and "other edifices": whereas the former are pretentious palaces constructed merely as a show of pride and vanity ("envious show"), the former is built to accommodate a nobleman at the centre of his social responsibilities and among his country tenants.

The next poem in *The Forest*, "To Sir Robert Wroth", extends Jonson's criticism of corrupt nobles and projects an idealized image of the noble household. It registers a note of censure against the ladies and gentlemen who danced and feasted lavishly during Jonson's court masques. It satirizes the conspicuous consumers of food, clothing and jewellery and the connoisseurs of imported finery among the aristocracy and highlights the virtues of thrift and simplicity. Although he resides "so neere the citie, and the court" (l. 3), Sir Robert Wroth is corrupted neither by the vice of the former nor by the trappings of the latter. Unlike the odious gentry depicted in the second Roman tragedy -those who "buy rare *Atticke* statues, *Tyrian* hangings,/ *Ephesian* pictures, and *Corinthian* plate,/ *Attalicke* garments, and now, new-found gemmes" (*Catiline*, I. 384-86) - Wroth does not rush

to view the better cloth of state;
The richer hangings, or crowne-plate;
Nor throng'st (when masquing is) to have a sight
Of the short braverie of the night;
To view the jewels, stufes, the paines, the wit
There wasted, some not paid for yet.
(*"To Sir Robert Wroth"*, *Forest*, ll. 7-12)

It is worth pointing out that after 1611 Jonson expresses the primary purport of *Catiline*, namely, instructing the nobility to revive the old virtues, and praising those who were aloof from the extravagance of the court. It is equally important to point out that Jonson's criticism of the court stemmed primarily from the ill practices espoused by James and many of his courtiers. With the increasing

acuteness of the financial problems at this time, when James and his court could no longer afford to pay for exquisite clothing, "jewels" and "stuffes", Jonson felt the urgency to denounce such practices at a time of serious insolvency. As will be noted below, Jonson's epigrams and commendatory poems to Sir Robert Sidney and Sir Robert Wroth emphasize the virtues of content and moderation. It is commonplace that by 1608 the royal budget was becoming virtually depleted. By 1611 King James was running into great debts as his earlier attempts to secure "loans" from country gentlemen had all come to nothing.⁴⁰ This serious state of insolvency reflected itself in James's reluctant, but necessary, reduction of expenditure over court masques. Whereas the production of *Oberon* had cost the court nearly £1,500, Jonson's masque, *Love Restored*, for the Twelfth Night celebration the following year cost only £280 (See H. & S., X, 519-22; 532-33). Unlike the tradition in former masques, in which royal members had played the leading roles, *Love Restored* was performed simply by "Gentlemen, the King's servants." This was another sign of the economy over royal entertainments as "gentlemen" did not require the same extent of opulent display during such royal spectacles as the Queen or Prince Henry did. Thrift and moderation were thus the main features of the court masque that came to replace the extravagance and dissipation of earlier celebrations.

In *Catiline*, as in later "poems" such as "To Penshurst" and "To Sir Robert Wroth", Jonson warns against "cortly" extravagance and celebrates moderation, plainness of life-style and the true virtues of noble lineage. At a time when all economic circumstances indicated a "crisis of the aristocracy" Jonson felt obliged to lay stress on the benefits of thrift and the homespun virtues of English country life. Thus, what is a matter of economic necessity that had forced both the King and his prominent courtiers to cut down on lavish entertainments Jonson transforms into a celebrated quality that the aristocracy should feel proud of acquiring. To live according to one's means without getting sucked into a pointless competition over

opulent display, Jonson seems to advocate, is a matter of honour rather than a cause of shame.

Jonson's advocacy of a nobility reared in the tradition of performing good deeds and reflecting good values would continue unabated through the Jacobean era. In 1621 Jonson would praise the noble merits of his royal friend the Earl of Arundel:

Yo^{rs} shalbe to make true gentrie knowne
From the fictitious. Not to prise blood
So much by the greatness, as by the Good;
To shew and open cleare *vertue* the way.
(*The Gypsies Metamorphosed*, 621-24)

To conclude, *Catiline*, as Jonson had almost certainly intended, must have sought, with a degree of success, to disturb its initial audience by reflecting the disorder of contemporary society and by projecting effectively the vice and degeneration that enfolded the Jacobean court. There is good reason to suggest that Jonson, by appealing to the *readers*, in ordinary and extraordinary, meant *Catiline* to be more a political treatise on the arts of good government than a play designed primarily or solely for the conventional theatre.⁴¹

Catiline makes much more sense when not only the historical material it draws upon is grasped, but also when the play is seen within the context of contemporary politics and contemporary views on them. Hence, the well-informed reader/spectator appreciates, for example, Jonson's decision to implicate Caesar in the Catilinarian plot, a detail which is simply hinted at in the historical sources on the subject. Caesar's complicity in the infamous Roman conspiracy thus serves to emphasize the fact that in Jonson's conspiratorial age -as the Essex rebellion had proved- influential government figures could be among the most dangerous. Further, by leaving Caesar's position unchallenged at the end of the play, Jonson powerfully gives the play a sense of continuity - a blunt warning of the ever present danger of corrupt aristocrats. Likewise, the reader's/spectator's awareness of Sir Robert Cotton's political maxims (emphasizing the need of the ruler to be pragmatic) helps to understand Jonson's decision to attribute to Cicero many of the

Machiavellian methods adopted by his disgraced antagonist. After all, Machiavelli's and Cotton's main concern in both *The Prince* and the maxims, respectively, was the redemption of the state; Jonson, it is apparent, shared the same view. The intricacy of plots and intrigues against the state in Jonson's contemporary England justified the need for a shrewd politician who could reverse the disintegration of the body politic. The critical view that "Cicero's oratory in praise of the whore Fulvia is a cynical echo of the praise heaped on him by Cato as the saviour of Rome"⁴² is wholly unjust and misses a crucial point in Jonson's political argument. With both the classical and contemporary background of the play in mind, *Catiline* can be seen to achieve the "unity of vision and art"⁴³ which some interpreters of the play might fail to discern.

Cicero's art of oratory in *Catiline* is a manifestation of, and a complement to, Jonson's own craft of rhetorics.⁴⁴ It is Cicero's art of oratory that ultimately saves Rome from Catiline's destruction. The battle of language between the two orators in the play is won by Cicero who represents the constructive power of language as opposed to Catiline's rhetoric of destruction.

The eponymous character of Jonson's second surviving tragedy concedes defeat to Cicero in the field of oratory. In the senate, the leading conspirator angrily remarks: "If an oration, or high language, *Fathers,*/ Could make me guilty, here is one, hath done it" (IV. 462-3). Catiline's language is, in sharp contrast to Cicero's, a symptom of the corruption that pervades the Roman state. To Jonson, as he commented in his non-dramatic work, "Wheresoever, manners and fashions are corrupted, language is. It imitates the publicke riot" (*Disc.*, 945-6). Seen in this light, language in *Catiline* both informs and complements the dramatic action; language and action are fused into a coherent entity.

Catiline was a theatrical failure on the Jacobean stage, one may infer, because the initial audience failed to discern the contemporary social and political implications of its subject matter. "In so thick, and darke as ignorance" which prevailed in Jonson's day, as the dramatist lamented, it was predictable that the

"groundlings" at the Globe would fail both to appreciate the "Wit" of the play and to decode its moral and political import. Yet, Jonson graciously told his readers: "I shall finde the way to forgiue you. Be anything you will be, at your own charge." ("To The Reader in Ordinarie," ll. 9-10, H. & S., *Ben Jonson*, V, 432) In a less courteous (but valid) remark Jonson reminds his readers that "men iudge only out of knowledge. That is the trying faculty" (*Ibid.*, ll. 17-18). Hence, Jonson's appeal to "the Reader extraordinary", "the better man", for a genuine appreciation of the artistic and thematic craftsmanship in *Catiline*.

Jonson presciently predicted that posterity would value his "*legitimate Poeme*." Though *Catiline* failed to impress the average Jacobean spectator, it was to elicit considerable success from its reading audience by the end of the century. Bentley traces eighty-nine allusions to *Catiline* in the period prior to 1700 and comments that it was "the most respected play of the century," far overshadowing *The Tempest*, Shakespeare's most frequently cited play within the same period.⁴⁵

NOTES

1. *Disc.*, ll. 1035-1041; H. & S., *Ben Jonson*, VIII, 595.
2. Quoted in David Riggs, *Ben Jonson* (London, 1989), p. 16.
3. Kevin Sharpe, *Sir Robert Cotton, 1586-1631: History and Politics in Early Modern England* (Oxford, 1979), p. 29. Further references to Sharpe's book will henceforth be given after quotations in the text.
4. Quoted by Sharpe, *ibid.*, p. 233, citing John Speed, *The History of Great Britain* (1614 edition), pp. 226 and 452, respectively.
5. See my Appendix B, Act One, ll. 531-55.
6. Speed, *The History of Britain*, p. 520, as cited by Sharpe, *Sir Robert Cotton*, p. 233.
7. Speed, *The History Of Britain*, pp. 843 ff.; 880 -Sharpe, *op. cit.*, p. 233.
8. See *The Works of Fulke Greville*, ed. A. B. Grosart, 4 vols., vol. I (1840). See also H. N. Maclean, 'Fulke Greville: Kingship and Sovereignty', *Huntington Library Quarterly*, 16 (1953), 237-72.
9. Greville, *Works*, I, p. 94, cited by Sharpe, *op. cit.*, p. 234.
10. Bodleian Library MS. Tanner 103, fo. 198.
11. *Ibid.*, fo. 197.
12. *Ibid.*, fo. 196.
13. Jonson's list of "The Principall Tragoedians", appended to the 1616 Folio edition, is found in H. & S., *Ben Jonson*, V, 550. The date of the play's debut, being before the end of August, 1611, is suggested by H. & S., II, 114, and IX, 240.
14. See Peter Burke, 'A Survey of the Popularity of Ancient Historians, 1450-1700', *History and Theory*, 5 (1966), 135-152. Burke's survey shows Sallust at the zenith of his popularity over all other classical authors in the period 1450-1700, with 282 editions of his *Catiline* available during that period (p. 136). Between 1600-49 Sallust, Burke points out, ranked third among classical historians, with 39 editions of the Roman conspiracy published (p. 141).
15. Anselm Schlosser, 'Ben Jonson's Roman Plays', *Kwartalnik nelfilologiczny*, 8 (1961), 153.
16. B. N. De Luna, *Jonson's Romish Plot: A Study of 'Catiline' and Its Historical Context* (Oxford, 1967). Although De Luna makes a painstaking analysis of the dramatic action in relation to contemporary evidence on the Powder Plot her argument does not always seem to be convincing.
17. For more details on the financial position of Essex and his followers, and how it led to the rebellion, see Lawrence Stone, *The Crisis of the Aristocracy*, pp. 481-86.
18. See, for example, I. 144-4; I. 204; I. 225; I. 303-4; I. 317; and I. 438.
19. On a more detailed study of the analogies between *Catiline* and the Gunpowder Plot, see Barbara N. De Luna, *Jonson's Romish plot*, *passim*, esp. pp. 37-42; 62-65; 173-174.
20. *Stuart Royal Proclamations*, vol. I, *Royal Proclamations of King James I, 1603-1625*, edited by James F. Larkin and Paul L. Hughes (Oxford, 1973), p. 245.
21. See Neil Cuddy, 'The Revival of the Entourage: The Bedchamber of James I, 1603-1625', in *The English Court*, ed. David Starkey (London, 1987), PP. 206-11.
22. *Sallust: The Jugurthine War/ The Conspiracy of Catiline*, translated by S. A. Handford (London, 1963; rept. 1987), p. 177.
23. *Ibid.*, pp. 189-90.
24. See my Appendix B.
25. *Sallust*, trans. Handford, p. 189; emphasis added.
26. Lawrence Stone, *The Crisis of the Aristocracy*, p. 551.
27. *Ibid.*, pp. 551-52.
28. G. P. V. Akrigg, *Jacobean Pageant*, pp. 103-4. See also L. stone, *op. cit.*, 550-52.
29. Lawrence Stone, *op. cit.*, p. 554.
30. L. Stone, *op. cit.*, pp. 551-52.
31. Akrigg, *op. cit.*, p. 104.
32. *Ibid.*, pp. 103-4.
33. L. Stone, *op. cit.*, p. 550.
34. L. Stone, *op. cit.*, p. 552, citing D. Parsons, *Diary of Sir Henry Slingsby*, 1836, p. 52.

35. Extensive evidence on the conspicuous expenditure on food and clothes in the Jacobean court is provided by G. P. V. Akrigg, "The Courtier's Life," in his *Jacobean Pageant*, esp. pp. 157-58, and by Lawrence Stone, 'Conspicuous Expenditure', in *the Crisis of the Aristocracy*, pp. 555-566.
36. See L. Stone, *op. cit.*, p. 556.
37. Lawrence Stone, *op. cit.*, p. 563.
38. Quoted by Stone, p. 564.
39. Derek Hirst, *Authority and Conflict*, p. 50.
40. See Leah S. Marcus, *The Politics of Mirth: Jonson, Herrick, Milton, Marvell, and the Defence of Old Holiday Pastimes* (Chicago and London, 1986), pp. 29-30.
41. This view conforms with Pepys's comment in the Restoration (1668-9) when *Catiline* was revived, that the play was "of much good sense and words to read" but "the worst upon the stage ... the least diverting, that ever I saw any" - See my chapter IX on *Catiline* on the Restoration stage.
42. "Introduction," in *Catiline*, edited by W. F. Bolton and Jane F. Gardner, Regents Renaissance Drama series (London, 1973), p.xvi.
43. *Ibid.*
44. On Jonson's use of language in *Catiline*, see *ibid.*, pp. xvii-xx.
45. Gerald Bentley, *Shakespeare and Jonson: Their Reputations in the Seventeenth Century Compared* (Chicago, 1945), vol. I, pp. 109-12.

PART THREE

**The Theatre, Sovereign Power and the 'Common Benefit':
Jonson's Two Roman Tragedies in the Restoration 1660-1670**

CHAPTER SEVEN

Jacobean Drama and Restoration Politics: the Revival of Jonson's Two Roman Tragedies in the 1660s

Undaunted by the popular failure of his two Roman tragedies on the contemporary stage, Jonson was determined to see both *Sejanus* and *Catiline* through the press. For Jonson, the mediocre taste of the Jacobean audience and its failure to appreciate the literary merit of both plays were no good reasons to let these erudite plays fall into oblivion. "If ever any ruin were so great as to survive," he addressed his dedicatee Lord Esmé Stuart D'Aubigny in 1605, "I think this be one I send you: *The Fall of Sejanus*" (H. & S., IV, 349). Almost six years later, Jonson dedicated his *Catiline* to the Earl of Pembroke, expressing his gratitude for his patron's role in preserving the play: "Posteritie may pay your benefit the honour, & thanks: when it shall know, that you dare, in these liggiven times, to countenance a legitimate Poeme" (H. & S., V, 431). Jonson's decision to publish his two Roman tragedies reveals both the insight and the aspiration of a prescient dramatist: good works of art should be preserved for posterity. As Jonson had predicted, *Sejanus* survived the "malice" of its Jacobean audience at the Globe and attained "greater favour" in later ages. Similarly, *Catiline* rose above "all noise of opinion" of its first audience in 1611 and enjoyed a considerable esteem in subsequent times.

It is a critical commonplace that during the Restoration Jonson's plays gained considerable literary esteem and enjoyed frequent theatrical revivals.¹ The reception on the public stage of Jonson's two political tragedies in the latter half of the seventeenth century has, nevertheless, received only scant critical attention. This is particularly true of *Sejanus*, owing to the scarcity of contemporary evidence about the revival of this play after 1660. Indeed, evidence regarding the revivals during the Restoration of Jonson's two extant tragedies is relatively scarce. John Downes, the

book-keeper and prompter of the Duke's Company, offers the sole evidence about the revival of *Sejanus* in the first decade of the period. In his *Roscius Anglicanus* (1708), an account of theatrical performances between 1660-1706, Downes indicates that *Sejanus* and *Catiline* were revived in the early years of the Restoration. He lists Jonson's two tragedies among twenty-one plays in the repertoire of the King's Company when they played at the Theatre Royal in Drury Lane: "These being old plays, were acted but now and then, yet being well perform'd, were very satisfactory to the town."² In his address of the book "To the Reader", Downes, however, reveals that his source of information about "the Actors of Drury Lane Company, under Mr. Thomas Killigrew," is "Mr. Charles Booth, sometime Book-keeper there." Downes, therefore, adds that "If he a little Deviates, as to the Successive Order, and exact time of their Plays Performances, He begs Pardon of the reader."³ Despite the lack of other contemporary evidence to the effect of a revival of *Sejanus* during the Restoration, it seems unlikely that Downes's statement is totally erroneous. The individual enumeration of the twenty-one plays, including Jonson's two extant tragedies, makes it reasonably likely that *Sejanus* was revived during this period, though it is difficult to establish the date of such a revival. Herford and Simpson, Jonson's renowned editors, comment that "Downes included [*Catiline*]", (and, for that matter, *Sejanus*), "in his list of old plays acted before 1663 at the Theatre Royal" (H. & S., IX, 241). As there is a critical silence about the revivals of the two plays before or in 1663, the two editors suggest that the revival of *Sejanus* may have followed that of *Catiline*, namely, after 1668-9 (H. & S., IX, 191). The Oxford editors, however, admit that there is no evidence to support their claim, which remains mere guesswork. There is good reason to suggest that *Sejanus* was intended for revival by the King's Company at their newly opened Theatre Royal in 1663. The reasons for this suggestion (to do with the political climate of the time), will be demonstrated in the following chapter. It must be added, however, that during the Restoration period, performances were postponed or even banned, due to technical problems or to regulations of censorship. The revival of *Catiline* was, for instance, postponed for almost a year, due to certain problems that

befell the King's Company (see separate chapter on *Catiline*). As will be argued below, it is possible that *Sejanus* was seen as reflecting highly sensitive contemporary issues in 1663 so clearly that the King's Company thought it wise to postpone the revival until a time when it was deemed safer to put it on the public stage. Nor have records of all performances during the Restoration survived to the present day. Whatever the fact, the later date of 1668-9 for the revival of the play is a possibility that deserves serious consideration. Fortunately, there is more conclusive evidence about the revival of *Catiline* in the first decade of the Restoration than what has survived about the earlier Jonsonian tragedy. The main source of information about these revivals is the indispensable accounts in Samuel Pepys's *Diary*, in addition to minor references in other contemporary sources.

That *Sejanus* and *Catiline* should enjoy a theatrical revival in the Restoration is hardly surprising. Firstly, both plays recount a major conspiracy by a relatively influential figure or group against the established ruling body and the commonwealth - a theme which had great topicality in the period. Further, both tragedies warn of the dangers of civil wars and the potential risk of rebelling against a constitutional sovereign. Both plays also emphasize the need for a just and efficient sovereign and provide advice for the ruler and the ruled alike. Secondly, Jonson's two tragedies are also topical in a period like the Restoration for the fact that they criticise vice and corruption at court. Thirdly, both plays adopt a negative stance to women and caricature their vanity, sexuality and involvement in the serious affairs of the state. This attitude would have had great significance in an age that witnessed a revolutionary change in women's social stature and sexual freedom. Fourthly, the language of the two plays is also a key factor in the revival of interest in the two plays during that period: they both rely on historical material, make use of rhetorical dialogues and lyric verse-form -celebrated prerequisites of drama in an age marked by its sophistication and high learning, and very much aware of the place of English drama in the context of European critical debate as well as theatre practice. Indeed, the revival of both tragedies between 1668-69 could have been partly the result of the emergence of neo-

classical purism. By 1668 there had been a major literary debate in England, involving major dramatic figures, concerning the relative merits of English and French drama according to their adherence to the classics, their observations of the classical unities and the use of rhyme. The implications of this debate and its effect on the revival of interest in Jonson's two Roman tragedies will be given ample consideration below.

This part will thus seek to study both the literary and the theatrical significance of Jonson's two extant tragedies during the first decade of the Restoration period. The underlying purpose will be to determine the relation between the two plays and the current concerns in the period under discussion. Both tragedies will thus be viewed within the literary, political, social and religious contexts of the 1660s. In addition, an awareness of the nature and the composition of the Restoration audience will help to shed more light on the reception of the two tragedies after 1660; it will also help to determine the way in which the two plays were seen to reflect the major issues and *mores* of the time.

I

"Justice is led back home"

The restoration of the monarchy in May 1660 brought new hopes of peace and harmony to a country exhausted by years of civil war, religious schism, and political anarchy. The immediate popular response to the news of Charles II's return to England was one of great relief and euphoria. The general mood of jubilation is captured in Pepys's *Diary*, three weeks before Charles's arrival in England. In his entry on 2 May 1660, the diarist reports the celebrations on the previous day:

Great joy ... at London; and at night more bonfires then ever and ringing of bells and drinking of the King's health upon their knees in the streets, which methinks is a little too much. But everybody seems to be very joyful in the business.⁴

On the following day, Pepys saw "the King's declaration and his letter", the contents of which were Charles's "offer of grace to all that will come within 40 days, only excepting them that the Parliament shall hereafter except." (*ibid.*, p. 123) When Charles II set foot in Dover on 25 May, welcomed by General Monk, a key figure in

the Restoration process, Pepys reveals, the popular reception was impressive: "... Infinite the Croud of people and the gallantry of the Horsemen, Citizens, and Noblemen of all sorts." "The shouting and joy expressed by all," Pepys adds, "is past imagination." (*ibid.*, p. 158)

The sense of popular relief and contentment was secured by Charles's wit and amiability. From Breda in the Netherlands, Charles II had assembled a package of reforms and promises that contained good news for people of different political and religious allegiances. The Breda Declaration, dated 14 April 1660, had a distinct tone of national reconciliation and promised religious toleration. The start of the reign was auspicious; only time was to be the test for the yet untested monarch.

Poets and authors of the age did not miss the chance to take part in the festivities which accompanied the King's return. They hastened to express their sense of ease and comfort at Charles's restoration to his rightful throne. Like everybody else in the country, men of letters had their own expectations from the new monarch. John Dryden was among the first literary figures to celebrate the King's triumphal return and to reflect the general mood of exuberance that pervaded England. The figure of Justice has at last returned home as Charles's return promises the renewal of the Golden Age:

And welcome now (great monarch) to your own;
Behold th'approaching cliffs of Albion;
It is no longer motion cheats your view:
As you meet it, the land approacheth you.
(*"Astraea Redux": a Poem on the Happy Restoration and Return of his Sacred Majesty Charles II* (1660))

For Dryden, the miraculous return of the legitimate sovereign to his throne has a religious connotation: Divine Providence has made Charles II, like Christ, a saviour of his people. The fact that Charles entered London, back from exile, on his thirtieth birthday could not have escaped Dryden's observation and ability to associate the King's return with Christ's age when he began his ministry. The analogy was worth seizing and commenting upon:

That star, that at your birth shone out so bright,
It stained the duller sun's meridian light,
Did once again its potent fires renew,
Guiding our eyes to find and worship you. (*Ibid.*, ll. 288-91)

The glorious event of the restoration of monarchy in the person of Charles II, then, has a religious as well as a political significance. Dryden also found a counterpart for Charles II in a prominent figure of the ancient civilization of Rome, namely, the venerable Augustus. Both figures are celebrated for restoring peace after the civil wars in their respective countries:

Oh, happy age! Oh, times like those alone
By fate reserv'd for great Augustus' throne!
When the joint growth of arms and arts foreshew
The world a monarch, and that monarch *You*.
(*Ibid.*, ll. 320-23)

Dryden's association of King Charles with Augustus on the one hand, and of England with ancient Rome, on the other, is a telling analogy which anticipates the emergence of the neo-classical creed, later in the period. Dryden and other literary figures of the age, it will be demonstrated below, were to express their admiration of the ancient civilisation and of the classical authors, and to set them as examples to follow. By projecting Charles II on his homecoming as a Christ-like saviour of his country and an Augustan restorer of the Golden Age, Dryden reflected the standard of government he and his fellow countrymen expected from the new monarch.⁵ The nation which saw the restoration of monarchy as no less than a divine miracle could only see Charles, or at least expect him to be, an ideal monarch, in the same category of saints and prominent emperors. Expectations were too high and disillusion, as time was to prove, was not far ahead. Soon, the theatre would hold a mirror up to society in order to reflect its major concerns.

During the Restoration, theatre and politics were often inextricably fused. The Restoration government assumed full control over theatrical activities, and King Charles II, as will be seen, restricted theatrical privileges to two of his courtiers and royalist sympathizers, William Davenant and Thomas Killigrew. In so doing, the theatre in this period was seen to be a medium of Cavalier propaganda that would further the policies of the State. This notion of supporting the new regime and condemning the former republican ones was distinct in the early years of the new reign. Among the dramatists who provide an interesting example about the rôle of theatre in

contemporary politics is the Honourable Edward Howard. His tragedy *The Usurper*, performed at the Theatre Royal in Bridges Street, on 2 January 1663/64, tells the story of a usurper, Damocles, who deposes Cleander, the legitimate ruler of Sicily, who is then disguised as a Moor. The complex plot which comprises a web of intrigues by Damocles and his parasite, Hugo de Petra, and counter-intrigues by the true king's party, culminates in the restoration of Cleander to his throne, thanks to the help of Cleomenes, a loyal adherent of the King's. The usurper is then punished for his crime by committing suicide, and the true king marries Timandra, Queen of Numidia. The plot of the play was no doubt meant to impinge, indirectly at least, upon the restoration to the English throne of Charles II by the help of his loyal subjects, prominent among them General Monk. However, as F. S. Boas commented, the play did not achieve its aim in drawing an analogy to the current king:

Cleomenes and Hugo de Petra might pass for Monk and Hugh Peters; but a usurper who murdered his son, and an exiled king posing as a Moor, and marrying an African queen, were very far-fetched representations of Cromwell and Charles II.⁶

When Howard published the quarto of the play in 1668, he revealed in its epilogue that he had intended the tragedy to be

a Record of all such Loyalty,
That after long Contests did safely bring
Subjects to rights, & to his Throne our King.
(*Ibid.*, p. 2)

As will be seen below, plays which were deemed "offensive" or the content of which ran counter to the interests of the ruling class were either not allowed on stage or were banned after the first production.

II

The restoration of theatrical activities

In celebrating the King's homecoming and in expressing their wishes of restoring the theatres in England, Dryden and his fellow writers, as well as theatre figures, struck a responsive chord in Charles's predilections. Charles II was a genuine lover of the theatre, and his courtiers were regular patrons of theatrical performances. While in

France, Charles II had maintained a troupe of actors at his court and had had the opportunity of attending numerous French performances. In addition, many of his courtiers had travelled extensively on the Continent, experiencing the theatrical techniques in Spain, Italy, Germany and the Netherlands. Former patrons of English drama prior to 1642, Charles's courtiers enriched their theatrical knowledge with new ideas of the theatre: the French and Italian opera and ballet; the Italian *Commedia dell'Arte*, and the Spanish comedias of *siglo de oro*.⁷ Back in England in 1660, Charles II was to be a major patron of the theatre and to develop a genuine interest in drama. Together with many of his courtiers, he frequented theatrical performances, both private and public. He was on familiar terms with dramatists, such as Killigrew, Davenant and Dryden, and made an impact on the direction drama took in the early years of his reign; he is known to have "Commanded" the dramatist Roger Boyle "to write a Play for Him ... All in Ten Feet verse, & Ryme."⁸ Charles was also on familiar terms with actors and donated properties in order to help with the cost of theatrical performances; in 1661, for instance, he loaned his coronation robes to the actor Thomas Betterton in Davenant's revival of *Love and Honour*. It was little wonder, then, that pre-Commonwealth thespians applauded the good news of the restoration of Charles and set out to reflect in their writings and stage performances the new King's social and monarchical ideals.

When Charles II returned to England in May 1660, theatrical activities had already been resumed. Various acting troupes, which had survived the Interregnum, had hoped for a revival of pre-1642 code of theatrical performances, according to which rival companies would compete for a wide and disparate audience. The new King's decision, however, was to create a monopoly pattern according to which only two theatrical companies, led by two courtiers and fellow-exiles, Thomas Killigrew and William Davenant, enjoyed the sole rights to perform within London. One of these two patent companies was a group of young players who had been led by John Rhodes and played at the private theatre, the Cockpit (also called the Phoenix) in Drury Lane. This company was taken over by Davenant, himself a dramatist, and was called the

Duke's Company, as it had the King's brother as its royal patron. The second company, a group of more experienced players, who had played before 1642 under the management of the actor Michael Mohun at the Red Bull, a public theatre, had Killigrew as its new manager, Charles as its patron, and was called the King's Company. In August 1660, three months after the King's return, Killigrew and Davenant secured a monopoly of theatrical performances. The two men first joined forces and their merged company played at the Cockpit, before the two companies separated again and formed independent groups.

With popular appetite for theatrical activities whetted to its utmost, both companies had to start performing immediately. Old playhouses, after eighteen years of closure and neglect, were unusable and had to be refurbished. Accordingly, Davenant's players, the old Rhodes group, started performances on 5 November 1660, at Salisbury Court. Later, they moved into the refurbished Lisle's Tennis Court at Lincoln's Inn Fields.⁹ The King's Company, the former Mohun group under the new manager Killigrew, started at the old Red Bull. A week later they occupied the theatre in Gibbon's Tennis Court on 5 November 1660, where they performed until 7 May 1663, when they moved into their new Theatre Royal, Bridges Street in Drury Lane.¹⁰

The resumption of theatrical activities brought about major changes in the English theatre. In the early years of Charles's reign, the English theatre was to benefit from a *mélange* of pre-1642 native drama and Continental, mainly French, theatrical innovations. The early Restoration playhouse was thus a compromise between the pre-Commonwealth thrust stage and the scenic proscenium-stage of the Venetian opera houses and the French theatres. This compromise was crucial as the Restoration theatre had to accommodate new plays as well as revivals of the old native drama. On the Restoration stage, much of the action took place on the apron stage, with the back shutters on both sides serving as a visual background. As these shutters opened or closed, by sliding on grooves, they suggested a change of scene. This device would have been effective in the revivals of Jonson's tragedies on the Restoration stage, as neither *Sejanus* nor *Catiline* strictly observe the unity of place.

Change also affected the number of theatre companies and their repertoires. During the Restoration period, the two patent theatrical companies operated according to the repertoire system, choosing from a "stock" of plays, both old and new. Choice of specific plays was often dependent upon a variety of circumstances at the time of the performance.¹¹ In the early years of the period, revivals of pre-Commonwealth plays dominated the stage. These included plays by Jonson, Shakespeare, Beaumont and Fletcher, Killigrew and Davenant. The plays "of the last age", as Dryden termed them, constituted to modern dramatists a native equivalent to the theatre of ancient Greece and Rome. This was particularly discernible in the first few years after Charles's return. Shortly afterwards, contemporary playwrights supplied new plays for the stage. Towards the last few years of the 1660s John Dryden became the dominant playwright, an influential critic and, in 1668, Poet Laureate; his influence on the literary aspect of Restoration life was paramount.

III

Jonson's two tragedies and "the stock of old plays"

Sejanus and *Catiline* were among the repertoire of pre-Commonwealth plays, which had fallen into the hands of Killigrew's actors, the newly established King's Company, a descendant of the "old" Caroline King's Men. Killigrew received a royal patent for the right of theatrical productions, together with Davenant's Duke's actors, soon after the return of Charles II to England in 1660.¹² Killigrew's company resumed theatrical performances three months after the restoration of the monarchy in June 1660. More experienced than their sole rival, the Duke's Company, Killigrew's men had the theatrical rights to most of the repertoire of the old King's Men, and had a total monopoly of Jonson's plays. Although Killigrew received the royal patent of plays in January 1669, it is commonly believed that his company started performances as early as November 1660.¹³ Killigrew's new King's Company resumed performances after the re-opening of the theatres in the King's House, in a disused tennis court in Vere

Street, before they moved to their new playhouse, the Theatre Royal in Drury Lane in 1663.

The revival of Jonson's two tragedies, as has been seen, is believed to have taken place at the playhouse of the King's Company in Drury Lane. Information about the Theatre Royal is sketchy. There are, however, scattered references that may help to form an idea about the structure of this theatre. It is known, for example, that the theatre had a sizeable cupola which, according to a modern commentator, was probably unglazed.¹⁴ Pepys reports that the cupola let in rain; on 1 May, 1668, he reports "a disorder in the pit by its raining in from the cupola at top, it being a very foul day, and cold."¹⁵ Relying on scattered contemporary references to the Theatre, D. Thomas comments that the auditorium may have had a semi-circular shape, and he surmises that the stage "will have echoed the semi-circular line of the auditorium (following the Italian neo-classical practice of Palladio and Serlio)." "This," Thomas further adds, "would have entailed a curved *frons scenae* ... with symmetrically placed proscenium doors and with the tradition of a large central opening to reveal the scenic stage."¹⁶ Another account refers to benches in the pit area "rising one behind the other like an amphitheatre and covered with green cloth."¹⁷ Pepys visited the theatre on 8 May 1663, "being the second day of its being opened." This is his impression of the playhouse of the King's Company:

The house is made with extraordinary good contrivance; and yet has some faults, as the narrowness of the passages in and out of the pit, and the distance from the stage to the boxes, which I am confident cannot hear. But for all other things it is well. Only, above all, the musique being below, and most of it sounding under the very stage, there is no hearing of the bases at all, nor very well of the trebles, which sure must be mended.¹⁸

The King's Company had among its players a number of the most distinguished actors of the time. They had started their apprenticeships in the years before the closure of the theatres in 1642. Some of them, such as Charles Hart and Nicholas Burt, had even managed to perform illegally during the Interregnum at the Phoenix (or Cockpit) in Drury Lane, the Red Bull, and in private theatres.¹⁹ Their most renowned actor was Michael Mohun, their former leader, who had accompanied Charles II in

exile and settled in Flanders, and is known to have performed as an actor in Antwerp.²⁰ Actors enjoyed special favours from Charles II. John Lacy, an accomplished comic actor in the king's company, and who was punished for his offensive part in *The Change of Crownes*, is an example. The King had, prior to the Howard's play affair, commissioned a triple portrait of him representing three of his favourite rôles.

The resumption of theatrical activities in late 1650s brought about two major innovations to the English theatre: the use of changeable scenery, and the introduction of professional actresses. Davenant was the forerunner in using the new technique of providing painted scenery on the public stage in England. During the 1630s, he had already collaborated with the stage designer Inigo Jones, and in the 1650s he had attempted to introduce the new theatrical effect to the English theatre.²¹ Painted sceneries were used on the Restoration stage to suggest the change of scenes. Soon, this theatrical device was to become a major attraction to playgoers. Inevitably, the King's Company were obliged to adopt the same technique in their Theatre Royal in order to create the same kind of attraction on their audiences.

The new theatrical innovation, however, was not without some criticism. The scenic devices were seen as an element that detracts from the essential part of a performance: the language of the text. By 1664 Richard Flecknoe commented that in contrast to the "plain and simple" old theatres, contemporary English theatres "now for cost and ornament are arriv'd to the height of Magnificence", adding the warning that "which makes our Stage the better, makes our Playes the worse perhaps, they striving now to make them more for sight, then hearing; whence that solid joy of the interior is lost, and that benefit which men formerly received from Playes, from which they seldom or never went away but far better and wiser then they came."²² (According to Pepys, as will be seen below, *Catiline* was a good play to read, but the performance in 1668/9 was not a success.) The popularity of changeable scenery on the Restoration stage was soon to collide with the growing emphasis on the unity of place amid the

emergence of neo-classicism. However, this theatrical novelty was needed to accomodate audiences's tastes for plays, both old and new.

The second major theatrical innovation on the Restoration stage was the introduction of professional actresses. Like the changeable scenery, actresses had their first appearance in England before 1642 at court, when the Queen and her ladies participated in court masques and entertainments. On the Continent, actresses were well established in the theatre of France and Italy by the middle of the seventeenth century; this attraction had, no doubt, an impact on Charles II during his years of exile in Paris. Shortly after his return to England, Charles issued a royal patent, dated 15 January 1663, announcing that female parts were to be played by actresses and not by boy actors as the case had been prior to 1642: "... we do ... permit and give leave that all the women's parts ... may be performed by women."²³ It is ironical that Charles II, whose alleged reason behind the introduction of actresses on the public stage was to eradicate immorality and licence, was to be himself involved in scandals with actresses such as Nell Gwyn. The presence of actresses attracted flocks of interested individuals, some of prestige and prominence, to the backstage, even as the actresses were changing their costumes.²⁴ The introduction of actresses on the public stage, however, should not be seen merely as a foreign innovation or as the result of the dissolution that marked the age, but also as a manifestation of the increasing freedom and independence English women had started to achieve since the civil war. The hard experiences of those years had made women more confident and assertive. Restoration women asserted themselves in the political arena and had their own rivalry and factionalism. (This aspect will be demonstrated in more details in the study of the reception of *Catiline* on the Restoration stage in 1668/9.) Professional Restoration actresses soon gained a great esteem and made their impact on the contemporary stage.

Another theatrical fashion of the Restoration was to supply pre-1642 plays with prologues and epilogues, especially written for their revival. Those were intended primarily to introduce the performance, warm the audience, and probably to comment on the author, or even to anticipate criticism of the performance. Due to the lack of

evidence, it is hard to establish whether *Sejanus* had either a prologue or an epilogue or both for its tentative revival in this period, as was the case with *Catiline* when it was revived in 1668/9.

IV

The latter part of Charles's reign was to acquire a reputation for licence and immorality. Plays expressed concern for the spread of vice and corruption, especially at court. Large scale corruption, unnecessary extravagance and debauchery at all levels were the order of the day in the court of Charles II. Samuel Pepys's *Diary* provides a mine of information about the Restoration court life and the popular attitude towards it during this period. On 31 August 1661, for instance, Pepys reports that "... at Court things are in very ill condition, there being so much æmulacion, poverty, and the vices of swearing, drinking and whoring, that I know not what will be the end of it but confusion."²⁵ On 2 September of the same year he reported the spread of pox in the court (vol. II, p. 170). On 15 May 1662, he wrote of how much people were "discontented at the pride and luxury of the Court" (vol. III, p. 83). Again, at the end of November of the same year, he wrote: "Public matters [are] in an ill condition of discontent against the heighth and vanity of the Court ..." (vol. III. 271).

Moral weaknesses were distinct in the behaviour of courtiers and royal favourites. No sooner had the monarchy been restored than the frenzied scramble for offices and honours started. Aspirants for grants of favours and pensions had to compete ruthlessly in order to secure something of the limited royal bounty. Adroit aspirants like Anthony Ashley Cooper stirred resentment and disappointment among those who had no share of grants in the royal feast.²⁶ Patronage was in many cases secured by undeserving figures. Many in Whitehall were ready to sell themselves in order to snatch what was left on the royal table. Recrimination against exponents of the "good old cause" was therefore inevitable, and favours went mostly to royalists. They obtained more baronetcies and knighthoods than their opponents. By 1663 Charles had rewarded at least 159 former royalist army officers and over thirty families

of followers then deceased.²⁷ Many royalists received crown land, as grants or leases on comfortable terms; Charles's over-lavishness with pensions and honours alarmed Lord Treasurer Southampton.²⁸ Conferment of honours was also on a large scale. On 10 April 1661 sixty-eight knights of the bath were created; six earldoms and six baronetcies were created ten days later. Lord Chancellor Hyde was made Earl; Arthur Annesley, Earl of Anglesey; Sir J. Grenville, Earl of Bath. Sir Anthony Ashley Cooper was created Baron; Sir George Booth was made Lord Declamere, and Denzil Holles, Lord Holles. Monk had already been made Duke of Albemarle, and Montagu, Earl of Sandwich.²⁹ To those left out of the scramble, former republican army officers and their sympathizers, the court had neither room nor office for them; it simply was not their "sphere":

We haue no shift of faces, no cleft tongues,
 No soft, and glutinous bodies, that can sticke,
 Like snailles, on painted walls; or, on our brests,
 Creep vp, to fall, from that proud height, to which
 We did by slaverie, not by seruice, clime.
 (Sabinus, *Sej.*, I. 7-11)

.....

We are no guilty men, and then no great;
 We haue nor place in court, office in state,
 That we can say, we owe vnto our crimes.
 (Silius, I. 12-14)

Further, the habit of royal officers selling junior offices was criticized during this period as a symptom of corruption of the court. In April 1663, a complaint to that effect was made; as a result a commission to investigate the alleged practice was set in the following month.³⁰ In Jonson's *Sejanus* this practice is mentioned in the dialogue between the eponymous character and Satrius, relating to Eudemus's wish to buy a tribune's place from Sejanus (I. 178-82). This would also have made a cynical reference to the sale of honours at the Restoration. As will be seen below, Edward Howard's play *The Change of Crownes* (1667) criticized, in the character of Asinello, the sale of places at court and proved offensive to the King.

Criticism of the corrupt court during this period did not, of course, exclude the King himself. Indeed, Charles II's immoral life was at the centre of criticism and

ridicule, in a similar way to that of Tiberius in Jonson's Roman tragedy. Again, our major source of information in this area is Pepys's printed gossip. By 1662, Charles's interest in state affairs dropped as he became increasingly interested in his mistresses, particularly Barbara Palmer, known as Lady Castlemaine. Pepys's entry for 1 January 1663 records how "the king sups at least four or [five] times every week with my Lady Castlemayne; and most often stays till the morning with her and goes home through the garden all alone privately;" and adds, "I find that there is nothing almost but bawdry at court from top to bottom" (vol. IV, p. 1). On 1 February 1663 Pepys's entry reads: "This day Creed and I, walking in White-hall garden, did see the king coming privately from my Lady Castlemaynes; which is a poor thing for a Prince to do."³¹ As the period progressed, such criticism of Charles's indulgence in vice continued even on a larger scale. To the Restoration audience of the possible revival of *Sejanus*, the references by the eponymous character of the play to Tiberius's lust and apparent neglect of state affairs would have impinged upon a sensitively current issue:

Sleep,
 Voluptuous CAESAR, and securitie
 Seize on thy stupide powers, and leaue them dead
 To publique cares, awake but to thy lusts.
 The strength of which makes thy libidinous soule
 Itch to leave *Rome*; and I haue thrust it on:
 With blaming of the citie businesse,
 The multitude of suites, the confluence
 Of suitors, then their importunacies
 The manifold distractions he must suffer,
 Besides ill rumours, enuies, and reproches,
 All which, a quiet and retiréd life,
 (Larded with ease and pleasure) did auoid;
 And yet, for any weightie 'and great affaire,
 The fittest place to giue the soundest counsels.
 (III. 598-612)

Sejanus's speech is also particularly significant to early Restoration politics as it parallels the relationship between King Charles II and his chief minister and close counsellor, the Earl of Clarendon, as regards management of state business. For Clarendon's importance as a mainspring in the political establishment and a prime tactician reached a zenith in 1662. As the King's affair with Lady Castlemine was taking strong roots, his interest in the day-to-day business of government fell

noticeably. As a result, Clarendon's utility as a work-horse became more obvious; his central position in government policies became common knowledge. Clarendon was rewarded with grants of land and the Ranger of Whychwood, and his younger son Laurence became Master of the Robes. Four separate urban corporations elected him their high Steward. It is hardly surprising, then, to see him compared by the ambitious young John Dryden to the earth while Charles, understandably, was likened to heaven. It needs to be added, however, that Clarendon, by dint of the power he wielded during this period, was also becoming unpopular as he was held, by both Catholics and non-conformists alike, responsible for the denial of religious toleration. He was also blamed by courtiers and Cavaliers for providing insufficient financial provision and for the land settlement, respectively.³² Distinction, however, has to be made between Clarendon and Jonson's title-character of the first extant tragedy. Though both were royal favourites, close advisers to their respective monarchs and enjoyed far-reaching powers, Clarendon was a faithful minister, albeit not without ambition. There is no indication in the political history of the time that suggests any attempts made or contemplated by Clarendon against Charles II. On the contrary, he supported his King, whereas the latter abandoned him when public opinion ran against him in 1667.

It is commonplace that Charles II preferred sexual affairs and visits to the brothels of Covent Garden to the tedium of government business. To say the least, he preferred to conduct his state affairs informally. Pepys's published gossip includes an amusing story about Charles II trying to catch a moth in Lady Castlemaine's apartment while the Dutch fleet sailed up the Medway. One should be cautioned, however, not to take the gossip-monger's reports too seriously. His usual and recurrent use of superlatives, as one example, is an indication that his statements, in many cases, lack no talent of hyperbole. Despite his pleasure-seeking attitudes, Charles II, like Jonson's Tiberius, kept a firm grip on state affairs although he was seen to be neglecting them. In close similarity to the Roman emperor Tiberius, Charles II embodied throughout his reign the very qualities which Machiavelli recommends for a successful ruler. Dissimulation, double-dealing and political expediency all distinguished Charles as a

master in the art of political survival. Jonson's adroit treatment of the historical character of Tiberius would have certainly made a great impression upon Restoration spectators of *Sejanus* during this period.

Readers or spectators of *Sejanus* during the Restoration era would draw closely similar portraits of Tiberius and Charles II. Those who were familiar with Tacitus's *Annals* would have easily recognized the similarity. Commenting on the character of the Roman emperor, the famous historian writes:

... what Tiberius said, even when he did not aim at concealment, was -by habit or nature- always hesitant, always cryptic. And now that he was determined to show no sign of his real feelings, his words became more and more equivocal and obscure. (I. 10) ³³

This view of Tiberius is curiously in harmony with the view generally held about Charles II; this is what one of his most creditable modern biographers has written:

The king's ingrained habit of coping with conflicts by stealth and circumvention was part of his personality before the Restoration and continued to be so after his return to England in 1660 and throughout his reign. ³⁴

Another Machiavellian quality is attributed to Charles II by another of his accomplished biographers, J. R. Jones:

For lengthy periods he gave the appearance of authorizing a single minister to direct the administration, deal with parliament and even formulate policies; although attending council regularly and keeping himself well informed, Charles allowed Clarendon (1660-7), Buckingham (1667-8) and later Danby (1673-9) to assume day to day control over affairs. But during these ministries Charles deliberately generated uncertainty about his intentions, by frequently consulting men outside the ministry and by considering alternative policies from those being officially pursued. At other times Charles deliberately employed composite ministries, in which no individual enjoyed supremacy. ...

During composite ministries Charles systematically encouraged and exploited tensions between rivals -Arlington and Buckingham in 1668-73, Hyde and Halifax in 1680-4 - so as to reserve ultimate control for himself. ³⁵

The emergence of the political play in the Restoration period was particularly discernible in the late years of the first decade. Edward Howard's tragi-comedy of *The Change of Crowns* is a case in point. It is known from an entry in Pepys's *Diary* that the play was performed on 15 April 1667 at the Theatre Royal in Bridges Street. The performance was attended by Charles II and the Queen, the Duke and Duchess of York, and a large number of courtiers. Pepys reports how the house was so full that he

was "forced to stand all the while close to the very door, till I took cold, and many people went away for want of room." Yet, Pepys apparently enjoyed this "play of Ned Howard's" and commented that it was "the best that I ever saw at that house, being a great play and serious." But all did not end well. The play included a satirical part on the court's sale of honours. Pepys records that "only Lacy did act the country-gentleman come up to Court, who do abuse the Court with all the imaginable wit and plainness about selling of places, and doing everything for money. The play took too much" (vol. VIII, pp. 167-68). The reference here is to the part of Asinello, a country-gentleman, who sells his estate and takes dancing lessons, in order to join the court. He believes that he can enjoy advancement in the court by means of bribery. He is, instead, disappointed as he is duped by almost everyone and is sent to a place of punishment, the Porter's lodge. He then only escapes whipping by paying a large fine. Lacy was thought responsible for inserting the satirical remarks, which apparently incurred Charles's wrath, and he was committed, like Asinello, to the Porter's lodge.³⁶ Further, the play was banned and the playhouse closed. Pepys offers a good account of the incident. In his entry on 16 April 1667 the diarist reports how "the King was so angry at the liberty taken by Lacy's part to abuse him to his face that he [i.e. Charles II] commanded they should act no more till Moone [Mohun] went and got leave for them to act again, but not this play. The King mighty angry, and it was bitter indeed, but very true and witty" (vol. VIII, pp. 168-69). On 1 May, Pepys learns that the King's house is still closed because of the "offensive" performance. He also humourously reports how Lacy, upon his release, came to the King's House and quarrelled with Howard, calling the play "nonsensical" and the dramatist "more a fool than a poet" (vol. VIII, pp. 172-73).

The temptation to ridicule the Court of Charles II, or even the King himself, was great, and so was the result of stirring the King's displeasure. The King bestowed his favour on the theatre when he was pleased, and withdrew it when he was angered. Restoration thespians derived their patent and protection from the King, but the audiences provided them with their livelihood. As the interests and expectations of

both monarch and audiences sometimes clashed, striking a balance between the two was not always an easy task.

A crucial part in the understanding of a specific performance is an awareness of the original audience for whom the performance was intended. The composition of the audience, its prejudices and preferences (social, political, and even religious), reveal intriguing details about the factors that determine the decision to stage a play and the prospects of its success. To understand the nature of the Restoration audience, one needs to be mindful of the close affinity between drama and the court throughout the period under discussion.

There has been some disagreement upon the issue of the composition of the Restoration audience. An old view deemed the Restoration playgoers as a "coterie", comprising mainly courtiers, gallants, court ladies, wits, and even courtesans.³⁷ Recently, however, there has been almost a critical unanimity, following the publication of *The London Stage* in the 1960s, in viewing the Restoration audience as a composite entity.³⁸ The Restoration audience was composed mainly of fashionable courtiers, their hangers-on and ladies of the town. It also included members of the bourgeois section of the society.³⁹ It is evident from Pepys's accounts that courtiers and the gentry formed the nucleus of the Restoration theatre-going audience. The King and his retinue attracted a large audience to the theatre whenever they attended a performance. Many courtiers and their hangers-on frequented the playhouse partly to be seen and heard. Inevitably, court factionalism reflected itself in the playhouse in the manner in which courtiers sat and responded to the performance. As a consequence, performances of plays, both old and new, often reflected (either implicitly or explicitly) the current social and political issues of the age. The two patent theatre companies were mindful of the need to cater for the taste of a sophisticated audience which regarded the theatre as a mirror to its immediate concerns. In the process, writers and players reflected the prejudices and preferences of their patrons and specific sections of the audience who attended such performances. Accordingly, performances acquired an extra "meaning", often independent of the original texts, as they echoed on the stage

the political in-fighting that was taking place in the corridors of Charles's court, and the mannerism and follies of certain sections of the audience. Despite the potential danger of parodying court figures and of reflecting current controversial issues, such notions were needed to motivate popular interest in the theatre and consequently to achieve commercial gains. Further, the Restoration playgoers often enjoyed seeing themselves and their rivals being ridiculed or mimicked on stage. Actors, especially women-players, maintained close terms with the ladies and gentlemen of the court. In some cases the latter collaborated with players in order to have their rivals at court ridiculed, or to make certain allusions to gallants and ladies of the town.⁴⁰ What is certain is that, during the Restoration, theatre and politics were inextricably fused -not only in the practical establishment of playhouses and playing companies, but in the issues debated within them, in the certain hearing of influential public figures in all fields of life.

V

The fusion of theatre and politics was distinct in the stature of men of letters of the time. Many Restoration writers and theatre entrepreneurs were public figures who had an interest in the political and social aspects of contemporary life. Many of those figures had had first-hand experience of the recent turbulent events of the civil war. With the restoration of monarchy in 1660, these traumatic experiences were to have a great impact on drama as authors searched their national past and ancient history for guidance, in an attempt to establish a firm and effective type of government.

Amid the turbulence of the civil war, the search for an ideal form of government had started in earnest. Disparate political theories on the art of government reflected the prejudices and preferences held by political philosophers. Two major political treatises prior to 1660 represented the underlying need for the strong form of authority England needed. The first is Thomas Hobbes's *Leviathan*; the second James Harrington's *The Commonwealth of Oceana*. In 1651, Thomas Hobbes published his *Leviathan, or the Matter, Form, and Power of a Commonwealth*,

Ecclesiastical and Civil, written while he was in Paris, a tutor to the future king of England. A treatise on political philosophy, *Leviathan* appeared in England after a decade of a civil war which claimed, among its numerous victims, the head of King Charles I. Hobbes's work is therefore seen as a natural outcome of the events of the Interregnum⁴¹ and had a great impact on the political thought of the Restoration. In his Introduction to this work, Hobbes equates "*Concord*" in a commonwealth with "*Health*" in a body, "*Sedition*" with "*Sickness*", and "*Civill war*" with "*Death*" (p. 9). Hobbes's major concern in his work is the peace and unity of the state -a political urgency after the rebellion against, and execution of, Charles I. According to Hobbes, unless there is a "visible power" to keep citizens in awe, there follows a state of war during which men live in "continuall feare, and danger of violent death" and then man's life becomes "solitary, poor, nasty, brutish, and short",⁴² marked by "a perpetuall and restless desire of Power after power, that ceaseth only in Death" (pp. 88; 70). In such state of war, Hobbes warns, "The notions of Right and Wrong, Justice and Injustice have there no place. Where there is no common Power, there is no law: where no Law, no Injustice." (p. 90) Because men are not peaceful by nature, nor instinctively willing to live in communal societies, Hobbes argues, they should agree to make a "social contract", a package of "articles of peace", which ensures their self-preservation against individual ambitions and competetions. Accordingly, Hobbes advocates for the principle of a sovereign rule to which all subjects should willingly submit: "The only way to erect such a Common Power ... is, to conferre all their power and strength upon one Man, or upon one Assembly of men, that may reduce all their Wills, by plurality of voices, unto one Will ... and therein to submit their Wills, every one to his Will, and their Judgements, to his Judgement. This is more than Consent, or Concord; it is a reall Unitie of them all, in one and the same Person, made by the Covenant of every man with every man." (p. 121) In the second part of his book, sub-titled "Of Commonwealth", Hobbes reasons that

The finall Cause, End, or Designe of men, (who naturally love Liberty, and Dominion over others,) in the introduction of that restraint upon themselves, (in which wee see them live in Commonwealths,) is the foresight of their own

preservation, and of a more contended life thereby; that is to say, of getting themselves out from that miserable condition of Warre, which is necessarily consequent ... to the naturall Passions of men, when there is no visible Power to keep them in awe, and tye them by feare of punishment to the performance of their Covenants, and observation of [the] Lawes of Nature. (p. 117)

Hobbes, thus, conceives of the commonwealth as "*One Person, of whose Acts a great Multitude, by mutuall Covenants one with another, have made themselves every one the Author, to the end he may use the strength and means of them all, as he shall think expedient, for their Peace and Common Defence.*" The person who holds such power "is called SOVERAIGNE, and said to have *Soveraigne Power*; and every one besides, his SUBJECT." (P. 121) Hobbes's image of a ruler is clearly embodied in the figure on the title-page of the 1651 edition of *Leviathan*, which represents a monarch incorporating in his body a multitude of men, holding the symbols of power and authority, both civil and ecclesiastical (sword and sceptre), and majestically overlooking the State. If the ruler in such a "commonwealth" is a despot, Hobbes adds, subjects have no right to rebel, but should rather abide by the "covenant" they have agreed upon. It is clear in Hobbes's work that he is not totally against an absolutist rule insofar as the ruler is capable of defending and preserving his subjects. The subjects' obligation, according to Hobbes's "contract", is then to give up their individual "freedom" and to submit to the authority of the State, invested in the person of the ruler or a ruling body. Nor has Hobbes any preference for monarchical or republican rule; his main criterion is the efficient practice of authority which manifests itself in the unification of the individual wills and the preservation of the citizens. However, Hobbes has a crucial warning to the sovereign: a failure to abide by the "covenant" and disregard of the welfare of the subjects could cause popular disobedience. Ineffectiveness on the part of the ruler may invite trouble, and usurpation may soon follow.

The fundamental tenet of Hobbes's political argument is in harmony with that of Jonson's two political tragedies: the crucial need for a firm and prudent sovereign, on the one hand, and an obedient and peaceable nation which rejects all forms of rebellions and conspiracies, on the other. The similarities between the issues raised by

Hobbes's work and those in Jonson's two surviving tragedies in general, and in *Catiline* in particular, are considerable. There is hardly any doubt that the Restoration playgoers, sophisticated and educated as they were, as has already been seen, could discern such similarities and hence perceive the validity of Jonson's two surviving tragedies to their contemporary politics. Several analogies between the two tragedies and Hobbes's work deserve particular attention. In *Leviathan*, Hobbes, writing of the factors (such as "Desire of Ease, and sensuall Delight"), which bind men to be obedient to "a common Power", argues that

On the contrary, needy men, and hardy, not contented with their present condition; as also all men that are ambitious of Military command, are enclined to continue the causes of warre; and to stirre up trouble and sedition: for there is no honour Military but by warre; nor any such hope to mend an ill game, as by the causing a new shuffle. (pp. 70-1)

This has its parallell in Jonson's second surviving Roman tragedy when Catiline, in his opening speech, reveals the major motivations for the conspiracy against Rome: "The ills, that I haue done, cannot be safe/ But by attempting greater". (I. 79-80) Desperation and military ambition, Catiline reveals, are also among the motivations that drive his fellow-conspirators to join the plot: Lentulus is made into believing that he is to become "a king in *Rome*" (I. 138); "bold CETHEGVVS," no doubt, has his own military ambition (I. 140-1); in addition to

Others, whom meere ambition fires, and dole
Of *prouinces* abroad, which they haue fain'd
To their crude hopes, and I as amply promis'd:

.....
Some, whom their wants oppresse, as th'idle Captaynes
Of SYLLA's troops: and diuers *Roman* Knights
(The profuse wasters of their patrimonies)
So threatened with their debts as they will, now,
Runne any desperate fortune, for a change.
These, for a time, we must relieue, AVRELIA,
And make our house the safe-guard: like, for those,
That feare the law, or stand within her gripe,
For any act past, or to come. Such will
From their owne crimes, be factious, as from ours.
(I. 153-55; 157-66)

In Chapter X, "*Of* POWER, WORTH, DIGNITY, HONOUR, *and* WORTHINESE", Hobbes comments that "Riches joyned with liberality, is Power; because it procureth friends, and servants" (p. 62). This has a discernible analogy in

Catiline's lines to his wife Aurelia, to the effect of winning more conspirators by means of liberality:

Some more there be, slight ayrelings, will be wonne,
 With dogs, and horses; or, perhaps, a whore;
 Which must be had: and, if they venter liues'
 For vs, AVRELIA, we must hazard honours
 A little. Get thee store, and change of women,
 As I haue boyes; and giue 'hem time, and place,
 And all conuience: be thy selfe, too, courtly;
 And entertayne, and feast, sit vp, and reuell;
 Call all the great, the faire, and spirited *Dames*
 Of *Rome* about thee; and beginne a fashion
 Of freedome, and community.

(I. 167-77)

In Chapter XI, "*Of the difference of MANNERS*", commenting on hatred as resulting from the difficulty to requite great favours, Hobbes remarks:

To have received from one, to whom we think our selves equall, greater benefits than there is hope to Requite, disposeth to counterfeit love; but really secret hatred; and puts a man into the estate of a desperate debtor, that in declining the sight of his creditors, tacitly wishes him there, where he might never see him more. For benefits oblige; and obligation is thralldome; and unrequitable obligation, perpetuall thralldome; which is to ones equall, hatefull. (p. 71)

An intriguing parallell to this passage is found in Jonson's *Sejanus*; in Act III Silius, in the trial scene, complains to Tiberius about the trumped-up charges against him, protesting vociferously that they are partly the result of the Emperor's inability to requite them:

Since I haue done thee that great seruice, CAESAR,
 Thou still hast fear'd me; and, in place of grace,
 Return'd me hatred: so soon, all best turnes,
 With doubtfullprinces, turne deepe to iniuries
 In estimation, when they greater rise,
 Then can be answer'd. Benefits, with you,
 Are of no longer pleasure, then you can
 With ease restore them; that transcended once,
 Your studies are not how to thanke, but kill.

(III. 300-8)

In *Leviathan*, Hobbes argues that because men have conflicting aims they should give up their independence of judgment about matters of communal interest and put their trust, instead, in one decision-maker. According to Hobbes, men must

appoint one man, or Assembly of men, to beare their Person; and every one to owne, and acknowledge himselfe to be Author of whatsoever he that so beareth their Person, shall Act, or cause to be Acted, in those things, which

concerne the Common Peace and Safetie; and therein to submit their Wills,
every one to his Will, and their Judgements to his Judgement. (p. 120)

In concord with Hobbes's political philosophy, Jonson's Cicero in the second surviving tragedy acquires the "loud consents" of the Romans, besides their "vniuersall concourse" (III. ll. 28; 31). His power, like that of Hobbes's sovereign, is epistemic, derived from his ability to make the appropriate decision in times of crises.

The need, emphasized in Hobbes's *Leviathan*, for an able sovereign who could preserve his people's peace and safety is echoed by Jonson's Cato, who addresses Cicero: "Our need made thee our *Consul*, and thy vertue." (III. 1.57) The Roman orator, like Hobbes's model of ruler, admits that since he is the representative of his people any mistake of his would be equally attributed to those who had trusted him with their voices: "For euery lapse of mine will, now, be call'd /Your error, if I make such" (III. 38-9). The validity of *Leviathan* to Jonson's tragedy on the Roman conspiracy is also apparent in the urgent need for "one man" who could unite "a Multitude" that would otherwise be disunited due to "their particular judgements and particular appetites." (p. 118) In a society like Jonson's ancient Rome, where some individuals plot against the state, motivated by personal ambitions, there is a great Hobbesian need for "a common Power to keep [men] in awe." (*ibid*)

Like Hobbes's "*Soveraigne*" and Jonson's Cicero, King Charles II, being the representative of his people, carries the enormous task of preserving the lives of his subjects in the case of war. Cicero is meant to remind the English monarch with the responsibility he faces in the wake of the English civil war:

I know well, in what termes I doe receiue
The common wealth, how vexed, how perplex'd.
(III. ll. 47-8)

Charles II is further reminded, this time by Cato, with the special qualities with which a good ruler should be endowed in order to ensure the peace and prosperity of his country prevail:

Each petty hand
Can steere a ship becalm'd; but he that will
Gouerne, and carry her to her ends, must know
His tides, his currents; how to shift his sailes;
What shee will beare in foule, what in faire weathers;

Where her springs are, her leakes; and how to stop 'hem;
 What sands, what shelues, what rocks doe threaten her;
 The forces, and the natures of all winds,
 Gusts, stormes, and tempests; when her keele ploughs hell,
 And deck knocks heauen: then, to manage her,
 Becomes the name, and office of a pilot.

(III. ll. 64-74)

More intrinsic analogies between Hobbes's political work and Jonson's two Roman tragedies can be found in the argument against rebellions against the sovereign. In Chapter XVIII, "*Of the RIGHTS of Soveraignes by Institution*," Hobbes argues against rebellions against the sovereign, reasoning that once "*a Multitude of men do agree, and Covenant, every one, with every one*", to authorize "*whatsoever Man, or Assembly of Men*" to represent them all, "*every one, as well he that Voted for it, as he that Voted against it, shall Authorise all the Actions and Judgements, of that Man, or Assembly of men, in the same manner, as if they were his own, to the end, to live peaceably amongst themselves, and be protected against other men.*" (p. 121) "And consequently," adds Hobbes,

they that have already Instituted a Common-wealth, being thereby bound by Covenant, to owne the Actions, and Judgements of one, cannot lawfully make a new Covenant, amongst themselves, to be obedient to any other, in any thing whatsoever, without his permission. And therefore, they that are subjects to a monarch, cannot without his leave cast off Monarchy, and return to the confusion of a disunited Multitude; nor to transferre their Person from him that beareth it, to another Man, or other Assembly of men: for they are bound, every man to every man, to Own, and be reputed Author of all, that he already is their Soveraigne, shall do, and judge fit to be done: so that any one man dissenting, all the rest should break their Covenant made to that man, which is injustice: and they have also every man given the Soveraignty to him that beareth their Person; and therefore if they depose him, they take from him that which is his own, and so again it is injustice. Besides, if he that attempteth to depose his Soveraign, be killed, or punished by him for such attempt, he is author of such punishment, as being by the Institution, Author of all his sovereign shall do: And because it is injustice for a man to do any thing, for which he may be punished by his own authority, he is also upon that title, unjust. And whereas some men have pretended for their obedience to their Soveraign, a new Covenant, made, not with men, but with God; this also is unjust: for there is no Covenant with God, but by the mediation of some body that representeth Gods Person; which none but Gods Lieutenant, who hath the Soveraignty under God. But this pretence of Covenant with God, is so evident a lye, even in the pretenders own consciences, that it is not onely an act of an unjust, but also of a vile, and unmanly disposition. (p. 122)

The underlying argument in this passage is in harmony with Jonson's denunciation of conspiracies against lawful monarchs, in both surviving tragedies. In the first extant

Roman tragedy, Arruntius, an advocate for republican rule, and despite his opposition to the Roman Emperor, voices his anger at the rumour that Sejanus is aiming at the imperial throne:

The name TIBERIVS,
I hope, will keepe, howe ere he hath fore-gone
The dignitie, and power.

(I. 244-5)

Sabinus, another republican sympathizer, also expresses his strong objection to any action against a legitimate monarch:

No ill should force the subiect vndertake
Against the soueraigne, more then hell should make
The gods do wrong. A good man should, and must
Sit rather downe with loss, then rise vniust-
Though, when the *Romanes* did first yeeld themselues
To one mans power, they did not meane their liues,
Their fortunes, and their liberties, should be
His absolute spoile, as purchas'd by the sword.

(IV. 163-70)

The second major political treatise which had an impact on the political thought of the Restoration was Harrington's *The Commonwealth of Oceana*. This work, which advocates for the republican form of government, was published in 1656 and was dedicated to Oliver Cromwell. Harrington's support for republicanism was partly the result of his fascination with the Venetian model of the republic and his knowledge about valid experiences from history, both ancient and contemporary, including the English republic under Cromwell.⁴³ Harrington offers the ancient state of Israel and the early Roman republic, which operated through a mixed apparatus of senate, people and magistrates, as examples of what a State aspires to be. The political philosopher then reviews the forms of government which resulted from the subversion of the "classical" republics, namely, monarchy, oligarchy and despotism. At the centre of Harrington's work is the interest in the political system of England. The old English constitution, until the reign of Henry VII, Harrington claims, had been based on a powerful feudal state; a small minority of aristocracy, headed by the monarch, then had a monopoly of power. Consequently, Harrington argues, the collapse of the Stuart

constitution ensued, once the people and their representatives in the parliament realised their power.

Under a veil of fiction, Harrington tells the story of the recent events of the civil war in England and praises Cromwell (Olphans Megalator) as an idealized ruler in charge of an idealized State. According to Harrington, the ideal form of government can be obtained by means of election, in order to appoint the whole ruling body, including the Protector. (Harrington is against hereditary monarchy which he describes as historically unnecessary; *Ibid.*, p. 226). With the death of Cromwell in 1658 and with the failure of his son and successor Richard to preserve the Republic, support for republicanism came from Milton, who, in his *Ready and Easy Way to Establish a Free Commonwealth* (March, 1660), admonished the English people for abandoning the hard-won achievements of the parliament and for returning instead "to their once abjured and detested thralldom of kingship" (p. 228).

One of the favourable factors that were to contribute to the revival of literary and theatrical interest in Jonson's two Roman tragedies during the Restoration was the rebirth of interest in the classics. Tacitus, in particular, enjoyed high esteem, prior to and during the Restoration era. A moralist as well as an author with great political insight, Tacitus was valued mainly as a source of guidance on life at court, providing useful advice both for monarchs and subjects living in monarchies.⁴⁴ No doubt, Tacitus was at least as relevant to Restoration politics as he had been to the politics of the previous ages, especially during the Interregnum. He wrote in similar circumstances to those of the English civil war and commented on the fall of the republican institutions and the rise of absolutism.

The revival of interest in classical authors and literature has been attributed by some modern authors, writing on the Restoration period, to an attempt "to impose reason, restraint, and rules upon a disrupted and disorganized society and literature."⁴⁵ To Restoration Englishmen, classical literature was a mine of valuable knowledge and experiences about events similar to those witnessed in the years of chaos and turmoil of the civil war after 1642. Inherited experiences from ancient authors, coupled with

clear judgment of the present, were valued as effective means of securing a more certain future than the gloomy past. Actors, authors, and entrepreneurs educated in the classical tradition under the reigns of James I and Charles I almost certainly advocated the revival of the classics in order to exert political pressure on the society during this period. In the history of ancient Rome, they no doubt found an ideal example of efficient government. In addition, recent history of England's Continental neighbours offered a model of the form of rule the new monarch needed to establish. While in exile in Paris, Charles II and his courtiers had had the opportunity to experience and admire the efficient rule of France's Louis XIV, whose strong minority government was a sharp antithesis to the ineffective regimes of the late years of the Commonwealth. Englishmen, no doubt, felt the urgency to emulate their French neighbours in order to have a ruler in full control over a divided nation. In the opening decade of the Restoration in particular, the need for an absolute monarch who could unite a disparate body politic was most acute.

The knowledge in ancient literature was thought to have affected the course of social and political events of the recent past and the present. Thomas Hobbes, for example, claimed that the English civil war was largely caused by the reading of the books of policy and histories of the ancient Greeks and Romans.⁴⁶ One historian has also argued that classical literature in seventeenth-century England offered a variety of political lessons to a mixture of political adherents, both Royalists and Republicans. Tacitus and Machiavelli, exponents of republicanism, Blair Worden asserts, appealed to supporters of opposing political allegiances.⁴⁷ Political authors with literary interests, such as Henry Nevile and Algernon Sidney, translated and wrote political treatises after the restoration of the monarchy in 1660.⁴⁸ A book entitled *The Complete Courtier*, published during the Restoration era, was the English translation of the French *La Morale de Tacite*, a collection of moral essays on the danger of flattery, derived from Tacitean texts and published by A. N. Amelot de le Houssaye (1634-1607), one of Tacitus's French translators.⁴⁹ The renewed interest in Jonson's two Roman tragedies, especially *Sejanus*, during the period under discussion can thus be attributed partly to

the high regard in which Tacitus, one of the major commentators on monarchical and tyrannical rule, was held. Modern authors and social historians such as Zera Fink, Caroline Robbins, Felix Raab and John Pocock have informed readers of the attempt made by seventeenth-century republicans to revive the virtues of ancient Rome and to learn from its mistakes and achievements.⁵⁰ Machiavellian tradition, aided by the ideas of classical historians, such as Livy, Tacitus and Polybius and their imitators and interpreters, gained momentum particularly during the Interregnum and was far from extinct after the Restoration.

The literary climate of the Restoration was also in favour of Jonson's plays. By 1660, theatrical tastes had changed considerably, and so had the extent of popularity of pre-1642 dramatists. The change was a result of the influence of Charles's French-acquired taste of the theatre. Beaumont and Fletcher's tragi-comedies enjoyed frequent revivals, and Jonson gained an almost unparalleled literary reputation during this age. Shakespeare's plays, on the other hand, lagged behind those of Jonson and Beaumont and Fletcher. Shakespeare was by then considered gross and savage, and the ingredients of his plays were not wholly appealing to the palates of the new audience. It is interesting to note that during this period no adaptation of a play by Jonson appeared; in him, Dryden once remarked, "you find little to retrench or alter."⁵¹ Yet, the tastes of the Restoration, Dryden commented, were not as favourable to the leading dramatist of the Renaissance: "it must be allowed to the present age, that the tongue in general is so much refined since Shakespeare's time, that many of his words, and more of his phrases, are scarce intelligible. And of those which we understand, some are ungrammatical, others coarse; and his whole style is so pestered with figurative expressions, that it is as affected as it is obscure."⁵² As early as 1661, John Evelyn reported the fading reputation of Shakespeare's masterpiece: "I saw *Hamlet* Pr: of Denmark played: but now the old playe began to disgust this refined age; since his Majestie being so long abroad."⁵³ Many of Shakespeare's dramas were, therefore, adapted and tailored according to the new taste: James Howard's version of *Romeo and Juliet*, a tragi-comedy, for instance, had a happy ending as it preserved the two lovers

alive; an adaptation of *Macbeth* was provided with singing witches; and more characters were added to *The Tempest* than the original play had.⁵⁴

The highly sophisticated age, then, had new literary standards, according to which old plays and playwrights were judged and evaluated. Accordingly, Jonson's reputation rose and his plays gained considerable theatrical acclaim as soon as theatrical activities had been restored.⁵⁵ Further, Jonson was repeatedly cited as an authority on the art of drama, and his plays, especially the two Roman tragedies, figured prominently in Dryden's literary essays and "Prefaces" to his plays. According to Dryden, expressing his views in the guise of Neander in the *Essay of Dramatic Poesy*, Ben Jonson "was a careful and learned observer of the dramatic laws ..."⁵⁶ Dryden adds:

I think him the most learned and judicious writer which any theatre ever had. He was a most severe judge of himself, as well as others. One cannot say he wanted wit, but rather he was frugal of it ... Wit, and language, and humour also in some measure, we had before him; but something of art was wanting to the Drama, till he came.

(*Ibid.*, pp. 81-2)

The Restoration was also a period of fine literary criticism. Classical theories on the art of drama were re-examined, and new theories were formed from various strains of existing ones. An array of classical, native and European contemporary drama provided the age with diverse models of dramatic genres. Dramatists were expected to have a considerable background in tragic theory and most of them assumed the dual rôle of playwright and critic. They wrote critical essays and exchanged views, which took the form of "Epistles" and "Prefaces" to their plays, on the ideal model of tragedy and other dramatic genres. They also had at their disposal a wealth of critical views by native authors like Shakespeare and Jonson, and by critics on the Continent such as Boileau and Rapin.⁵⁷ In the late 1660s, with the increasing influence of French criticism and the emergence of neo-classicism, high respect for the example of the classics, hence the high regard for Jonson, grew considerably. Classical authors were set as models to be imitated, and native plays were judged according to their observation of the classical "rules". Indeed, one major critical debate that marked the

first decade of the Restoration was over these "rules" of the ancient authors - the merits of restraint, decorum and the classical unities in dramatic art. It is hardly surprising, then, that Jonson's tragedies enjoyed a great esteem during this period. Jonson was recurrently cited as the most accurate of dramatists, and his critical views, both in his plays and non-dramatic works, were repeatedly quoted.

VI

The surmise that *Sejanus*, like *Catiline*, was revived after 1668 deserves serious consideration. Such suggestion derives its plausibility from the fact that the revival of the two Roman tragedies would have followed a long and heated current debate over the relative merits of native drama against rival claims by the French. As the English were achieving a relative success militarily over the Dutch fleets in 1665-7, they also needed to assert their merits in the literary field. After the turbulent events of the protracted civil war, with the closure of the theatres and the ban on theatrical activities by the Puritan regimes (though not effectively observed), the English theatre was left lagging behind its counterpart on the Continent. The restoration to the English throne of a monarch, himself a staunch patron of drama, gave the theatre a new soul. There was a growing tendency to establish a native drama comparable to that of ancient Rome and Greece that could match the dramatic advance on the Continent. English plays were continually compared, often unfavourably, with French and other European plays. Visitors who had an experience of English plays made some infelicitous remarks about the state of English drama. As early as 1661, the dramatist William Davenant, in the prologue to the second part of his *The Siege of Rhodes*, commented that

... many Trav'lers here as Judges come;
From Paris, Florence, Venice, and from Rome:
Who will describe, when any Scene we draw,
By each of ours, all that they ever saw.⁵⁸

The following years were, then, to witness a protracted literary controversy over the relative merits of English and European theatres. The underlying issues in this debate were the three unities and the use of rhyme in dramatic poetry. As will be seen below, Jonson's two tragedies figure prominently in the central part of the debate,

namely, Dryden's *Essay of Dramatic Poesy*. The two plays were repeatedly cited in the process of vindicating English drama and its merits. The debate was triggered by a Frenchman, called Samuel Sobière, who in 1663 and 1664, visited England and was made a member of the prestigious Royal Society. A year later, Sobière published his experiences of the visit in a book entitled *Relation d'un voyage en Angelterre*,⁵⁹ in which he made derogatory remarks about the state of English drama. He alleged that English drama was inferior to that of France in three major areas: the French adhered to the three classical unities whereas the English ignored them; French plays, unlike their English counterparts, depicted characters of gravity and decorum; and lastly, the French wrote in rhyme, while the English chose blank verse instead. He further insolently added:

But the Players [Plays] here wou'd be of little Esteem in *France*, so far short the *English* come of the *French* this way: The Poets laugh at the Uniformity of the Place, and the Rules of Times: Their Plays contain the Actions of Five and Twenty Years, and after that in the First Act they represent the marriage of a Prince; they bring in his Son Fighting in the Second, and having Travelled over many countries: But above all things they set up for the Passions, Vertues and Vices of Mankind admirably well; and indeed do not fall much short in the performance. ... I understand that all the *English* Eloquence consists in nothing but meer Pedantry.⁶⁰

Sobière's argument infuriated his English hosts who, in turn, answered his allegations with no less vigour. Their spokesman, Thomas Sprat, published *Observations on Monsieur de Sobière's Voyage into England* in 1665, in which he vindicated English drama and justified its merits. On the allegation over the disregard in English drama for the three "unities", Sprat justifies the practice of modern English poets as being convenient and in accord with European standards:

'Tis true, about an Hundred Years ago the *English Poets* were not very exact in such Decencies; but no more then were the Dramatists of any other Countries. The *English* themselves did laugh away such Absurdities as soon as any;⁶¹ and for these last Fifty Years our stage has been as regular in those circumstances as the best in *Europe*.⁶²

As for the point over decorum, Sprat also compares English and French dramatic composition; he asserts that "the *English* Plays ought to be preffer'd before the *French*", arguing that the French have borrowed "the greatest Part of their most Excellent Pieces ... from the *Spaniard*"; whereas the *English* have for the most part

trodden in New Ways of Invention." (*ibid.*) Sobière had also made the accusation that English dramatic texts "*are generally stoln out of other Authors*"; to this charge Sprat reminds his adversary of the ultimate aim of drama:

It is beyond all Dispute, that the true intention of such presentations is to give to mankind a Picture of themselves, and thereby to make Virtue belov'd, Vice abhorr'd, and the little Irregularities of Mens Tempests, called Humours, expos'd to laughter. The Two First of these are the proper Subjects of Tragedy, and Trage-comedy. (*Ibid.*)

Sprat accuses the French plays of portraying "One or Two Great Men" and of choosing only "one Remarkable Accident of their Story"; they also, he adds, "manage all in Rhime, with long Speeches, almost in the way of Dialogues, in making high Idea's of Honour, and in speaking Noble things." In contrast, English poets "make their chief Plot to consist of a greater variety of *Actions*; and besides the main Design, add many other little Contrivances. By this Means their Scenes are shorter, their Stage fuller, many more Persons of different Humours are introduc'd. And in carrying on of this they generally do only confine themselves to Blank Verse." (*Ibid.*, p. 4) By the convenience of prose, the English, therefore, "render their Speech and Pronunciation more Natural, and are never put to make a Contention between the rhyme and the Sense." Moreover, by virtue of the diverse action and characters they present, English plays "prevent Mens being continually tir'd with the same Objects: And so they make the Doctrine of the Scene to be more lively and diverting than the Precepts of Philosophers, or the grave Delight of Heroick Poetry, which the *French* Tragedies do resemble." As for portraying "Men of mean Condition amongst the Actions of Princes", Sprat offered this justification: "There being no Court which only consists of Kings, and Queens, and Counsellors of State." (*Ibid.*)

Nor was Sprat the only voice to defend English drama. In the same year of the publication of the *Observations*, Sir Robert Howard published his *Four New Plays*. In his preface to the volume, he vindicates English drama and debates several issues which Sprat had overlooked, and extends the argument to include the ancients. He explicitly admits his preference for his native drama: "without being partial to my Country - I do really prefer our plays as much before any other nation's as I do the best of ours before

my own."⁶³ Howard finds the French guilty on two counts as concerns their imitation of the ancients: "presenting the business in relations" and writing in rhymed verse. The English poets, he admits, are also susceptible to the same practice as well as guilty of "usually mingling and interweaving mirth and sadness through the whole course of their plays - Ben Jonson only excepted, who keeps himself entire to one argument."⁶⁴

By this time, John Dryden had also joined the controversy, which took a new phase, becoming a contention between English literary figures. The debate soon developed into critical, (even personal) exchanges between the two brothers-in-law Dryden and Sir Robert Howard: firstly, Dryden's preface to *The Rival Ladies* (1664); secondly, Howard's preface to *Four New Plays* (pub. 1665); thirdly, Dryden's *Essay of Dramatic Poesy* (pub. 1668); fourthly, Howard's angry reply in the preface to *The Great Favourite* (1668); and lastly, Dryden's *Defence of an Essay of Dramatic Poesy, Being an Answer to the Preface of "The Great Favourite, or, The Duke of Lerma"* (Prefaced to the Second Edition of the *Indian Emperor*, 1668). Though it is not the intention here to make a detailed study of these (rather telling) exchanges, it is crucial to point out that Dryden is in agreement with both Sprat and Howard about the superiority of English drama over its French counterpart in the observation of the classical rules and about the relative merit of rhyme against blank verse.

In his preface to *The Rival Ladies* (1664), dedicated to the Right Honourable Earl of Orrery, Dryden had defended the use of rhyme as a proper medium for drama. In the following year, as has already been mentioned, Sir Robert Howard published his *Four New Plays* (*The Surprisal*, *The Committee*, *The Indian Queen*, and *The Vestal Virgin*). In his preface to the volume, he joined Dryden in maintaining that English plays were superior to those of the French, though he suggests that men are less likely to speak in rhyme than in blank verse. He had used rhyme in some of his plays, he admitted, simply because he was "resolv'd, as in all indifferent things, not to appear singular" and thus "follow'd it as a Fashion, though very far off."

To Dryden, the issue over the merit of native drama, initiated by Sobière, was a matter of national pride. He chose to write his own contribution to the dispute, his

Essay of Dramatic Poesy, at the time of the English naval victory over the Dutch fleets in July 1665.⁶⁵ "The drift of the ensuing Discourse," he wrote in the dedication of his *Essay* to Lord Buckhurst, "was chiefly to vindicate the honour of our English writers, from the censure of those who unjustly prefer the French before them."⁶⁶ Adding his voice to those of Sprat and Howard before him in defending the value of English drama, Dryden asserts that the English "have as many and profitable rules for perfecting the stage, as any wherewith the French can furnish us" (Ker, I, p. 83). Dryden claims that the *Essay* was a reply to Howard's argument in the preface to *Four New Plays*, against the use of rhyme ("That occasioned my reply in my *Essay*" (Ker, I, p. 133).

Dryden's *Essay of Dramatic Poesy*, it must be noted, is beset with several uncertainties. It is not clear, for example, which view, among those expressed by the four participants, is supposed to be held by Dryden himself. Nor is it absolutely certain who the real-life figures represented by the four participants are. Such uncertainties are referred to by Dryden himself in his dedication of the *Essay* to "The Right Honourable Charles, Lord Buckhurst", one of the alleged participants in the debate:

I confess I find many things in this discourse which I do not now approve; my judgment being a little altered since the writing of it; but whether for the better or the worse, I know not: neither indeed is it material, in an *Essay* where all I have said is problematical.⁶⁷

Dryden describes the *Essay* as "a dispute betwixt some of our wits", concerning "plays in verse, ... some things of the ancient, [and] many of the modern ways of writing; comparing those with these and the wits of our nation with those of others." Dryden's task in this work, he further claims, is merely to "relate" such opposite views on the subject, leaving the final judgment to his dedicatee, Lord Buckhurst (*Ibid.* pp.26-27).

For the basic purpose of examining the effects of Dryden's *Essay* upon the prospects of the revivals of Jonson's two Roman tragedies after 1668, I shall limit my concern to those passages relevant to the two plays. I shall also adopt the commonly accepted identification of the four fictional participants: Eugenius, Crites, Lisideius and

Neander, with those of Buckhurst (the dedicatee), Howard, Sedley and Dryden, respectively. The topics discussed by the four figures relate to the relative literary merits of the ancients against the moderns, the last generation against the present, and the French against the English. Jonson, among the dramatists from "*the age before the Flood*", is chosen to vindicate the native drama against the claims of superiority made by the French.

Dryden claims to have remained impartial in narrating the four different views, but it is clear that he retains the privilege of having the final word in the argument. His Eugenius is an advocate for the moderns; Crites a supporter of the ancients and an opponent of rhyme as an inconvenient medium for dramatic composition;⁶⁸ Lisideius a proponent of French drama; and Neander a staunch spokesman of English drama and supporter of rhyme. As Williamson argues,

In terms of Dryden's *Essay*, [Howard's] argument, except for rhyme, is more in accord with that of Eugenius than with that of Crites, but it agrees with Lisideius on tragi-comedy. He is against both the Ancients and the French, but allows that the Ancients had reason for their method; among the English he evidently rates the past age, especially Jonson, above the present.⁶⁹

In Dryden's *Essay*, Eugenius opens the debate by expressing his admiration of the ancients, whom he, however, considers no superiors to the moderns of his own country: "neither know I any reason why I may not be as zealous for the reputation of our age, as we find the Ancients themselves in reference to those who lived before them" (*Ibid.*, p. 33). Crites retorts to Eugenius's advocacy for the moderns by glorifying the ancients, "whom it is our greatest praise to have imitated well; for we do not only build upon their foundation, but by their models." (*Ibid.*, p. 36) The ancients are "faithful imitators and wise observers of that nature which is torn and ill represented in our plays." The English poets are, on the other hand, "ill copiers", who have not benefited from the learnings of, and the high standard set by, the ancients. (p. 38) To drive his argument home, Crites cites Jonson, "the greatest man of the last age", who was an admirer of the ancients and a faithful observer of their rules:

... he was not only a professed imitator of Horace, but a learned plagiary of all the others; you track him every where in their snow: if Horace, Lucan, Petronius Arbiter, Seneca, and Juvenal, had their own from him, there are few

serious thoughts which are new in him: ... I will produce Father Ben to you, dressed in all the ornaments and colours of the Ancients; you will need no other guide to our party, if you follow him; and whether you consider the bad plays of our age, or regard the good ones of the last, both the best and the worst of the modern poets will equally instruct you to esteem the Ancients. (p. 43)

As the debate develops, it becomes clear that the major issues discussed are those of the adherence or otherwise to the three unities of time, place and action, in addition to the use of rhyme in tragedy. Lisiideus, an advocate for French drama and its alleged superiority over English drama, bitterly admits that "Beaumont, Fletcher, and Johnson (who were only capable of bringing us to that degree of perfection which we have) were just then leaving the world; as if (in an age of so much horror) wit, and those milder studies of humanity, had no further business among us" (Ker, p. 56). He praises the French for their respect for the three unities (Ker, pp. 56-7). French tragedies are also praised for the historical authenticity of their subject matter, "that is they are always grounded upon some known history ... and in that they have so imitated the Ancients, that they have surpassed them" (*Ibid*). Lisiideus's criticism of English drama, on the other hand, is based on his objection to the disregard by English poets for the unity of time; Shakespeare is cited as an example of the English dramatists' disregard for the "unities" and thus bears the brunt of the criticism. "For the spirit of man," Lisiideus argues, "cannot be satisfied but with truth, or at least verisimilitude; and a poem is to contain, if not [the truth], yet [the likeness of truth], as one of the Greek poets has expressed it." (Ker, p. 59; the Greek poet referred to here is Hesiod, *Theogony*, l. 27)

Lisiideus also expresses his opposition to the mingling of farce and seriousness in tragedy - a practice of which, he laments, all English poets are guilty:

... even Ben Johnson [*sic.*] himself, in *Sejanus* and *Catiline*, has given us this oleo of a play, this unnatural mixture of comedy and tragedy; which to me sounds just as ridiculously as the history of David with the merry humours of Goliath. In *Sejanus* you may take notice of the scene betwixt Livia and the physician, which is a pleasant satire upon the artificial helps of beauty: in *Catiline* you may see the parliament of women; the little envies of them to one another; and all that passes betwixt Curio [*sic.*] and Fulvia: scenes admirable in their kind, but of an ill mingle with the rest. (Ker, pp. 60-61)

Lisideius did not obviously appreciate Jonson's ingenious decision to heighten the dramatic effect of the scene in *Sejanus* by mingling within the same dialogue between Livia, a fickle and corrupt lady, and Eudemus, a physician, a beauty expert and a prospective murderer, talks of both make-up techniques and plans for murder. The scene, in fact, informs the larger theme of the play, that is, the idea of flattery and corruption: the physician who is supposed to cure illnesses, relieve pains and prolong life is both a flatterer who tries to hide ugliness and corruption under a thin layer of flattery and falsehood, and a murderer who prepares poison instead of medicine. As he uses "fucus", "ceruse" and "pomatum" (II, 60; 63; 80) to hide ugliness, he uses flattery to both Livia and Sejanus in order to hide the truth and to spread corruption in the body politic. Similarly, as the figurative meaning of the scene makes us believe, Sejanus, as Tiberius's chief counsellor, and the servile Senate, are corrupting the ruler through abject flattery. The same scene also offers another parody to a larger theme of the play: the ruler and his adviser, whose duty in idealistic terms is to ensure that the welfare of their subjects is achieved, are in fact plotting to poison the body politic and to infest it with a malady rather than help it with a remedy.

Despite Lisideius's unfavourable view, the scene between Livia and Eudemus was to influence later Restoration drama. The character of Livia had her own impact on later Restoration dramatists. Satire on ladies of the town who paid meticulous attention to fashion and to their own charm was indeed a vogue in Restoration comedy. Sejanus's interrogation of Eudemus about the bowel habits of his court-ladies, would have appealed to the high-born members of the Restoration spectators and readers of *Sejanus*:

Why, sir, I doe not aske you of their vrines,
 Whose smel's most violet? or whose seige is best?
 Or who makes hardest faces on her stool?
 Which lady sleepes with her own face a nights?
 Which puts her teeth off, with her clothes, in court?
 Or, which her hayre? which her complexion?
 And, in which boxe she puts it?

(I. 304-10)

representing duels, battles, and the like; which renders our stage too like the theatres where they fight prizes. (p. 62)

Lisideius praises the French for the restriction they impose upon their representation of dramatic action on the stage, citing Horace, *Ars Poetica*, ll. 180-7: "The mind is stirred less by what enters through the ears than by what lies before its faithful eyes, and by what the spectator sees for himself. But do not bring on stage what should be performed off, and keep much from our eyes to be told by the actor's ready tongue."⁷¹ Lisideius argues that "those actions which by reason of their cruelty will cause aversion in us, or by reason of their impossibility, unbelief, ought either wholly to be avoided by a poet, or only delivered by narration." Again, Jonson is cited as an authority:

We find Ben Johnson using them in his *Magnetic Lady* [III. ii.], ... the relations likewise of Sejanus's death, and the prodigies before it, are remarkable; the one of which was hid from sight, to avoid the horror and tumult of the representation; the other, to shun the introducing of things impossible to be believed. (Ker, p. 65)

Lisideius also praises the French for their use of rhyme in their tragedies, but he laments that "our poets write so ill in it." (Ker, p. 67)

Neander, who has the final word in the debate, admits the "irregularities" in English drama, but refuses to admit the superiority of French drama to its English counterpart (Ker, pp. 67-8). On the issue of mingling mirth with tragic material, he argues:

[The French] have mixed their serious plays with mirth, like our tragi-comedies, since the death of Cardinal Richelieu ... But their humours, if I may grace them with that name, are so thin-sown, that never above one of them comes up in any play. I dare take upon me to find more variety of them in some one play of Ben Jonson's, than in all theirs together; as he who has seen *The Alchymist*, *The Silent Woman*, or *Bartholomew-Fair*, cannot but acknowledge with me.

(Ker, p. 69)

Neander reproaches the French method of mingling mirth with seriousness in tragedy, though he admits he is not against the idea as such (Ker, p. 69). Answering Lisideius's criticism of Jonson's two tragedies as mingling mirth with seriousness, Neander retorts:

A scene of mirth, mixed with tragedy, has the same effect upon us which our music has betwixt the acts; and that we find a relief to us from the best plots and language of the stage, if the discourses have been long. I must therefore have stronger arguments, ere I am convinced that compassion and mirth in the

same subject destroy each other; and in the mean time cannot but conclude, to the honour of our nation, that we have invented, increased, and perfected a more pleasant way of writing for the stage, than was ever known to the ancients or moderns of any nation, which is tragi-comedy.

And this leads me to wonder why Lisideius and many others should cry up the barrenness of the French plots, above the variety and copiousness of the English. (Ker, p. 70)

Most critics who cite Dryden's views on Jonson's two Roman tragedies (Philip Ayres, in his recent Revels edition of *Sejanus*, [1990], is an example) tend to argue that Dryden has a negative critical opinion about the two plays. If one is to accept the commonplace identification of the four participants in the *Essay* with the four real-life literary figures, it becomes clear that Dryden, in fact, vindicates Jonson's *Sejanus* and *Catiline* against Lisideius's claims in particular. Such vindication applies to the long casts of the plays, their narration -rather than the representation on stage- of death, the issue over their adherence to the three unities, in addition to their use of rhymed verse.

In the *Essay*, Dryden argues for the merit of the diversity of characters in tragedy (and Jonson's two tragedies have long casts):

'Tis evident that the more the persons are, the greater will be the variety of the plot. If then the parts are managed so regularly, that the beauty of the whole be kept entire, and that the variety become not a perplexed and confused mass of accidents, you will find it infinitely pleasing to be led in a labyrinth of design, where you see some of your way before you, yet discern not the end till you arrive at it. And that all this is practicable, I can produce for examples many of our English plays: as *The Maid's Tragedy*, *The Alchymist*, *The Silent Woman*. (Ker, p. 73)

Dryden (in the guise of Neander) is also equally impressed with Jonson's "narration" of the deaths of *Sejanus* and *Catiline*:

Though in the latter I cannot but observe one irregularity of that great poet; he has removed the scene in the same act from Rome to Catiline's army, and from thence again to Rome; and besides, has allowed a very inconsiderable time, after Catiline's speech, for the striking of the battle, and the return of Petreius, who is to relate the event of it to the senate. (Ker, pp. 74-5)

As for the issue over the use of rhyme in tragedy, Neander denies that the English have imitated the French, and gives evidence from Jonson's two tragedies, which contain "sometimes thirty or forty lines, I mean besides the Chorus, or the monologues; which, by the way, showed Ben no enemy to this way of writing, especially if you look upon his *Sad Shepherd*, which goes sometimes on rhyme, sometimes on blank verse (Ker, p. 78).

In conclusion, Neander affirms two points to Lisideius, concerning the merits of English drama over that of France:

First, that we have as many plays of ours as regular as any of theirs, and which, besides, have more variety of plots and characters; and secondly, that in most of the irregular plays of Shakespeare or Fletcher (for Ben Johnson's are for the most part regular) there is a more masculine fancy and greater spirit in the writing, than there is in any of the French.

(Ker, pp. 78-9)

Dryden also expresses his admiration towards Jonson's classical scholarship in the two surviving tragedies and commends the way he treats his historical material:

[Jonson] was deeply conversant in the Ancients, both Greek and Latin, and he borrowed boldly from them: there is scarce a poet or historian among the Roman authors of those times whom he has not translated in *Sejanus* and *Catiline*. But he has done his robberies so openly, that one may see he fears not to be taxed by any law. He invades authors like a monarch; and what would be theft in other poets, is only victory in him. With the spoils of these writers he so represents old Rome to us, in its rites, ceremonies, and customs, that if one of their poets had written either of his tragedies, we had seen less of it than in him. (Ker, p. 82)

Though Dryden praises Jonson's poetic language, he complains of Jonson's too Latinate phrases in the two Roman tragedies:

If there was any fault in his language, 'twas that he weaved it too closely and laboriously, in his serious plays: perhaps too, he did a little too much Romanize our tongue, leaving the words which he translated almost as much Latin as he found them: wherein, though he learnedly followed the idiom of their language, he did not enough comply with the idiom of ours. (*Ibid.*)

Dryden's latter observation is distinctly but oddly incompatible with his earlier commendation of Jonson's faithful representation, through his linguistic craft, of Rome's "Rites, Ceremonies, and Customs."

Significantly, when Dryden published his *Secret Love: or The Maiden Queen* (1668), following this debate over the issue of adhering to the dramatic rules of the ancients, he claimed in the "preface" that this tragi-comedy was a "regular" play, "according to the strictest of dramatic laws" (G. Watson (ed.), *John Dryden*, p. 105).

With Dryden's *Essay*, the literary debate was far from over. In the same year, Dryden published *A Defence of an Essay of Dramatic Poesy Being an answer to the*

Preface of "The Great Favourite, or, The Duke of Lerma" (Prefixed to the Second Edition of The Indian Emperor, 1668). This "Defence" is mainly an argument over the use of rhyme and the adherence to the three unities in dramatic poetry. Dryden defends his view that "rhyme is best or most natural for a serious subject" (p. 113). Defending the importance of rhyme in tragedy, Dryden again cites Jonson's two Roman tragedies:

You see in *Catiline* and *Sejanus*, where the argument is great, he [Jonson] sometimes ascends to verse [i.e. rhyme], which shows he thought it not unnatural in serious plays; and had his genius been as proper for rhyme as it was for humour, or had the age in which he lived attained too as much knowledge in verse as ours, it is probable he would have adorned those subjects with that kind of writing. (Ker, I, p. 115)

In an implicit reply to Howard's claim in the "Preface" to *The Great Favourite*, that rhyme is inconvenient in dramatic poetry, Dryden claims that because of the "delight" of rhyme "the Ancients ... wrote all their tragedies in verse, though they knew it most remote from conversation." (Ker, p. 115)

In his "Preface" to *The Great Favourite, or, The Duke of Lerma*, Sir Robert Howard had also argued against the disregard for the unities of time and place in dramatic poetry, "for all of them being impossible, they are none of them nearest the truth, or nature of what they present; for impossibilities are all equal, and admit of no degree." (Quoted in Ker, I, pp. 125-6) In his reply in the "Defence", Dryden calls Howard's argument "a mere fallacy", maintaining that "the imagination of the audience, aided by the words of the poet, and painted scenes, may suppose the stage to be sometimes one place, sometimes another." He also adds that "Neither the Ancients nor Moderns ... ever asserted that they could make one place two; but they might hope, by the good leave of this author, that the change of a scene might lead the imagination to suppose the place altered (Ker, I, p. 127).

As for Howard's dispute over the issue of the unity of time, Dryden retorts: "... as *place*, so *time* relating to a play, is either imaginary or real: the real is comprehended in those three hours, more or less, in the space of which the play is represented; the imaginary is that which is twenty-four hours, more or less." (Ker, I, p.

129) Dryden, in answering Howard's question, as to how the less can comprehend the greater, by offering the example of a looking-glass "of half-a-yard diameter, a whole room, and many persons in it, may be seen at once; not that it can comprehend that room, or those persons, but that it represents them to the sight." (Ker, I, p. 130)

Turning to the issue over the unity of time, Dryden argues that "the imaginary time of every play ought to be contrived into as narrow a compass, as the nature of the plot, the quality of the persons, and variety of accidents will allow." Dryden makes a distinction between the time-span of the comedy and tragedy: the latter requires more time than the former because in tragedy "the design is weighty, and the persons great." (Ker, I, pp. 130-131) Once more, Jonson is cited and his two tragedies are vindicated:

... to his comedies he allows generally but twenty-four hours; to his tragedies, *Sejanus* and *Catiline*, as much larger time, though he draws both of them into as narrow a compass as he can: for he shows you only the latter end of *Sejanus* his favour, and the conspiracy of *Catiline* already ripe, and just breaking out into action. (Ker, I, p. 131)

To Jonson, the classical unities were rules that ought to be observed, if convenient. As his *Volpone* (per. 1605-6) shows, almost two years after *Sejanus*, Jonson treats the "unities" with great respect and adheres to them when convenient:

*The Laws of time, place, persons, he observeth,
From no needful rule he swerveth.*
("Prologue", ll. 31-32)

Jonson's two extant tragedies, it must be remembered, do not strictly observe the two unities of place and time. The action in *Sejanus* takes place in the court, the Senate and in Agrippina's house, to name but a few locations. Jonson, in his prefatory address "To the Readers" (ll. 6-7), admits that he has not observed "the strict Lawes of *Time*." The play covers eight years of history within the confines of its action (see H. & S., *Ben Jonson*, IX, p. 585). Jonson felt obliged to modify the "unities" in order to adhere to the story as found in his classical sources. *Catiline* also departs from the strict unities of time and place: the action represents three days (see H. & S., X, pp. 120-1), taking place in a variety of locations, including *Catiline's* house, *Cicero's*

house, Lecca's house, Fulvia's house, the Milvian bridge, and the army's camp. However, the authenticity of the action is convincingly maintained in both plays, in the way Dryden emphasized. Of the two tragedies, *Catiline* thus comes closer to observing the three unities, particularly those of time and place.

It must be added that Jonson in both *Sejanus* and *Catiline* occasionally uses rhymed verse, not only in couplets concluding some scenes, but also in other parts as in the chorus speeches of the later tragedy. In fact, *Catiline* shows a frequent use of rhymed verse, especially in the opening speech of Sylla's ghost, and in the chorus lines at the end of the first four acts, in addition to couplets at the end of some scenes: there is at least a total of three hundred and twelve lines of rhymed verse in this play.⁷²

Jonson's two surviving tragedies received in the concluding years of the first decade of the Restoration ample critical attention. In the current literary debate on the value of national drama they were often cited as examples of the adherence to the dramatic rules set by the classical authors. This occurred at a time when England was witnessing a revival in the classics and when English critics and dramatists were taking part in a wide literary debate over the merits of their drama in relation to that of Europe, particularly France. As has been demonstrated from Dryden's *Essay* and "Prefaces", both *Sejanus* and *Catiline* were deemed meritorious in their observation (though not strict) of the classical unities and of their partial use of rhymed verse. It is likely, therefore, that the King's Company felt it necessary that the current literary debate should culminate in the theatrical revival of Jonson's two Roman tragedies. It must also be added that the two plays may have been seen to reflect the main political realities of the time, when disillusion replaced the popular optimism which had marked the opening years of the Restoration. By the late years of the first decade of the Restoration, the vision of a renewed Golden Age proved unrealistic and bitterness soon replaced optimism: the new monarch had not kept his promises of efficient rule and religious tolerance. The next two chapters will thus explore the reception of *Sejanus* and *Catiline* in the early years of the Restoration.

NOTES

1. A major study on Jonson's esteem in the seventeenth century is G. E. Bentley, *Shakespeare and Jonson: Their Reputations in the Seventeenth Century Compared*, 2 volumes (Chicago, 1954).
2. John Downes, *Roscius Anglicanus*, ed. Judith Milhous and Robert Hume (London, 1987), p. 25.
3. *Ibid.*, p. 2.
4. Samuel Pepys, *Diary*, ed. Latham and Matthews, vol. I, p. 122.
5. It is worth remembering that Dryden had earlier written a panegyric, the "Heroick Stanzas" (*A Poem upon the Death of his Late Highness Oliver, Lord Protector of England, Scotland and Ireland* (1659)), in which he had paralleled the dead Protector with Pompey and Alexander the Great, as all possessing "such heroic virtue" as "Heav'n sets out", yet with "a soul above / The highest acts as it could produce". With Charles II restored as the major political figure in the political arena, Dryden was hoping to find in the new king a nucleus for "heroic tragedy". As the later years of the reign were to bring disappointment to Dryden and other Englishmen in this regard, alternative figures had to be found to form the basis of the "heroic play".
6. Frederick S. Boas (ed.), 'Introduction' to *The Change of Crownes* (London, 1949), p. 3.
7. See Richard W. Bevis, *English Drama: Restoration and Eighteenth Century, 1660-1789* (London and New York, 1988), pp. 5-6.
8. *The Dramatic Works of Roger Boyle, Earl of Orrery*, edited by W. S. Clark, 2 vols. (Cambridge, Mass., 1937), I, p. 23, as cited by Gunnar Sorelius, *The Giant Race Before the Flood* (Uppsala, 1966), p. 19.
9. See David Thomas (ed.), *Restoration and Georgian England, 1660-1788*, compiled by David Thomas and Arnold Hare (New York, 1989), p. 32; and Allardyce Nicoll, *A History of English Drama, 1660-1900*, vol. I, *Restoration Drama, 1660-1700* (Cambridge, 1955), pp. 294-301.
10. See Leslie Hotson, *The Commonwealth and Restoration Stage* (Cambridge, Mass., 1928), pp. 206; 249. For the inauguration date of the Theatre Royal, see Pepys's entry on 7 May 1660.
11. See Richard W. Bevis, *op. cit.*, p. 35.
12. See Robert D. Hume, *The Development of English Drama in the Late Seventeenth Century* (Oxford, 1976, rept. 1977), p. 20 n.
13. See Gunnar Sorelius, 'The Rights of the Restoration Theatrical Companies in the Older Drama', *Studia Neophilologica*, 37 (1965), 174. See also William Van Lennep, Emmet L. Avery, and Arthur H. Scouten (eds.), *The London Stage, 1600-1800: a Calendar of Plays*, 5 parts (Carbondale, Ill., 1965), part 1: 160-1700, cxliii-cxliv; and Robert D. Hume, 'Securing a Repertory: Plays on the London Stage 1660-5', *Poetry and Drama 1570-1700: Essays in Honour of Harold F. Brooks*, edited by Antony Coleman and Antony Hammond (London, and New York, 1981), p. 157.
14. David Thomas (ed.), *Restoration and Georgian England, 1660-1788*, p. 65, suggests that "a combination of daylight and candlelight in a roofed playhouse produces a most unsatisfactory lighting state."
15. Pepys, *Diary*, vol. IX, p. 182.
16. D. Thomas, *op. cit.*, p. 65.
17. See Richard and Helen Leacroft, *Theatre and Playhouse: An Illustrated Survey of Theatre Building from Ancient Greece to the Present Day* (London, 1984, rept. 1988), p. 72.
18. Pepys, *Diary*, edited by Latham and Matthews, vol. IV, p. 128.
19. D. Thomas, *op. cit.*, p. 128n.
20. See Allardyce Nicoll, *A History of Restoration Drama* (Cambridge, 1925), 1, p. 288, n. 2.
21. See David Thomas, *Restoration and Georgian England*, pp. 11-12.
22. 'A Short Discourse of the English Stage', attached to *Love's Kingdom*, quoted by George Nelleton, *English Drama of the Restoration and Eighteenth Century* (New York, 1923), p. 40.
23. Quoted in David Thomas (ed.), *Restoration and Georgian England*, p. 18. The first recorded public appearance of professional actresses is made in Pepys's entry on 3 January 1661; see Avery and Scouten, *The London Stage*, I, xxiv.
24. See, for instance, Pepys's entry for 5 October 1667, vol. 8, pp. 463-64.
25. *The Diary of Samuel Pepys*, ed. R. C. Latham and W. Matthews (London, 1971), vol. II, p. 167. Further references to Pepys's *Diary* will henceforth be made in the text after the quotations.
26. J. R. Jones, *Court and Country*, p. 139.
27. See Richard Hutton, *The Restoration*, p. 136n.

28. *Ibid.*, p. 137n.
29. David Ogg, pp. 181-82.
30. Richard Hutton, *The Restoration*, p. 198.
31. *Ibid.*, p. 30. On the same theme, see also Pepys's entries for 25 January and 8 February 1663, vol. IV, pp. 25 and 37, respectively.
32. David Ogg, *The Reign of Charles II*, p. 205.
33. Tacitus, *The Annals of Imperial Rome*, translated with an introduction by Michael Grant, revised edition, Penguin Books (Harmondsworth, Middlesex, 1971), p. 39.
34. Richard Hutton, *Charles the Second, King of England, Scotland, and Ireland*, p. 137n.; see also Clarendon, *Life*, i. 365-7.
35. J. R. Jones, *Charles the Second: Royal Politician* (London, 1987), pp. 6-7.
36. According to a contemporary manuscript, Lacy added satirical remarks to his already indiscreet role. See 'Introduction' in F. S. Boas's edition of *The Change of Crownes* (London, 1949), p. 9.
37. See, for example, Allardyce B. Nicoll, *A History of Restoration Drama*, fourth edition (Cambridge, 1952), pp. 5-19.
38. Emmett L. Avery and Arthur H. Scouten, *The London Stage, 1660-1800*, 5 parts (Carbondale, Illinois, 1960-1968), part 1, edited by William Van Lennep (1965), pp. clxii-cixvii; E. L. Avery, 'The Restoration Audience', *PQ*, 45 (1966), 54, 61.
39. Robert D. Hume, *op. cit.*, p. 23. Emmett L. Avery also supports this view and reaches the conclusion that "on the whole, it appears that the [Restoration] audience contained persons of all ranks and classes of many professions, and of a wide range of interests in the drama" ('The Restoration Audience', *PQ*, xiv (1966), 54-61). Pepys also offers a supporting example; on 27 December 1662, he reports seeing the second part of *Rhodes* at the Duke's Theatre, "which was full of Citizens, there being hardly a gentleman or woman in the house ..." (*Diary*, II, p. 295).
40. See, for instance, James Cleaver, *The Theatre Through the Ages* (London, 1964), p. 72.
41. K. R. Minogue, in his essay, 'Thomas Hobbes and the Philosophy of Absolutism', in *Political Ideas*, edited by David Thomson, (London, 1966; rept. 1969), p. 54, however, opposes this common view and maintains that "[Hobbes's] position was substantially worked out before the Civil War began."
42. Hobbes, *Leviathan*, edited by Richard Tuck (Cambridge, 1991), p. 89. All references to *Leviathan* are henceforth to this edition and will be cited in the text by page numbers only.
43. See Graham Parry, *The Seventeenth Century: The Intellectual and Cultural Context of English Literature, 1603-1700* (London and New York, 1989), p. 225.
44. See Peter Burke, 'A Survey of the Popularity of Ancient Historians, 1450-1700', *History and Theory*, 5 (1966), especially 149-50.
45. H. T. Swedenberg, Jr. (ed.), *England in the Restoration and Early Eighteenth Century* (Los Angeles, 1972), p. 7.
46. Blair Worden, 'Classical Republicanism and the Puritan Revolution', *History & Imagination: Essays in Honour of H. R. Trevor-Roper*, edited by Hugh Lloyd Jones *et al.*, (London, 1981), p. 182.
47. *Ibid.*, p. 183.
48. See Felix Raab, *The English Face of Machiavelli: A Changing Interpretation* (London, 1964), Appendix B; Blair Worden, *op. cit.*, p. 184.
49. See, for instance, Peter Burke, *op. cit.*, pp. 149-50.
50. See Z. S. Fink, *The Classical Republicans* (London, 1945); C. Robbins, *The Eighteenth Century Commonwealthsman* (London, 1959); F. Raab, *The English Face of Machiavelli* (London, 1964); and J. G. A. Pocock, *The Machiavellian Moment* (London, 1975).
51. Dryden, 'An Essay of Dramatic Poesy', in *Essays of John Dryden*, edited by W. P. Ker, 2 vols. (Oxford, 1926), I, p. 81.
52. Preface to *Troilus and Cressida*, in *Essays of John Dryden*, ed. W. P. Ker, I, p. 203.
53. The entry is on 26 November 1661, in *the Diary of John Evelyn*, edited by E. S. de Beer, 6 vols (Oxford, 1955), III, p. 304.
54. See, for instance, Phyllis Hartnoll, *A Concise History of the Theatre* (London, 1968), p. 113.
55. This is obvious in the revival of his plays, the comedies in particular, by the beginning of the Restoration; see Pepys's *Diary*.
56. 'An Essay of Dramatic Poesy', in *Essays of John Dryden*, selected and edited by W. P. Ker, 2 vols (Oxford, 1900), I, p. 79.
57. On the subject of literary criticism during the Restoration, see Eric Rothstein, *Restoration Tragedy* (Madison, Wisconsin, 1967), Chapter 1; and Richard W. Bevis, *op. cit.*, p. 57. Gunnar Sorelius, *The Giant Race Before the Flood*, p. 25, has argued that the French influence on English drama concerning

the adherence to the ancient rules was very limited before 1660. "Even in France," Sorelius maintains, "the neo-classical creed was only imperfectly formulated before the publication of Rapin's *Reflexions* in 1674 ..."

58. Quoted in Gunner Sorelius, *The Giant Rance before the Flood*, p. 22.

59. The full title of Sobière's book is *Relation d'un voyage en Angleterre ou sont touchées plusieurs choses qui regardent l'état des sciences, et de la religion, et autres matières curieuses* (Paris, 1664).

60. Quoted in George Williamson, 'The Occasion of *An Essay of Dramatic Poesy*', *MP*, XLIV (August 1946), 3.

61. This echoes Jonson's statement in his prefatory address "To the Readers" in his first extant tragedy: "... if it be objected that what I publish is no true Poem in the strict laws of time, I confess it; as also in the want of a proper chorus, whose habit and moods are such, and so difficult, as not any whom I have seen since the ancients -no, not they who have most presently affected laws- have yet come in the way of. Nor is it needful, or almost possible, in these our times, and to such auditors as commonly things are presented, to observe the old state and splendour of dramatic poems, with preservation of any popular delight."

62. Williamson, *op. cit.*, p. 3.

63. Quoted in Williamson, *op. cit.*, p. 5.

64. *Ibid.*

65. According to Dryden, the *Essay* was written during the period between June 1665 and December 1666, while the dramatist was forced to leave London because of the plague. The publication of the *Essay* was delayed until August 1667, and the first edition bears the date 1668 on its title-page. It is worth suggesting that the revivals of Jonson's two tragedies may have been planned soon after the writing of Dryden's *Essay*, but were similarly postponed because of the plague.

66. *John Dryden: An Essay of Dramatic Poesy*, ed. Ker, I, p. 27. All subsequent references are, unless otherwise indicated, to this edition and will be cited in the text as "Ker, I" followed by page numbers.

67. *Ibid.*, p. 23. In his "Defence of *An Essay of Dramatic Poesy* [...]", published in the same year, Dryden reasserted that his *Essay* was "sceptical, according to that way of reasoning which was used by Socrates, Plato, and all the academics of old", adding that it was "a dialogue sustained by persons of several opinions, all of them left doubtful, to be determined by the readers in general, and more particularly deferred to the accurate judgment of my Lord Buckhurst" (Ker, I, p. 124).

68. After the *Essay*, Howard replied to Dryden in the preface to his play, *The Great Favourite, or The Duke of Lerma*; Dryden, then, replied in *A Defence of an Essay of Dramatic Poesie*, attached to the second edition of his *Indian Emperor* (1668).

69. G. Williamson, *op. cit.*, p. 7. Williamson adds that, in the controversy over the use of rhyme in dramatic poetry, Dryden, in the guise of Neander, "is really answering both [Sprat and Howard], as well as justifying an English use of a prominent feature of the French way of drama." (*ibid.*)

70. *Observations on Monsieur de Sobière's Voyage into England* (1665); quoted in George Watson (ed.), *John Dryden: Of Dramatic Poesy and other Critical Essays* (New York, 1962), p. 49, n. 4.

71. George Watson (ed.), *John Dryden*, p. 53, n. 1.

72. Act I, ll. 1-72; Chorus, ll. 531-590; Act II, ll. 361-2; Chorus, ll. 363-406; Act III, ll. 235-46; ll. 484-9; ll. 753-4; Chorus, ll. 840-75; Act IV, ll. 22-3; ll. 58-9; ll. 460-1; ll. 410-1; ll. 592-3; ll. 704-5; ll. 710-11; ll. 822-3; Chorus, ll. 843-94 (abba); Act V, ll. 113-14; ll. 418-9; ll. 510-11; ll. 701-2. *Sejanus*, however, has less than 250 lines in rhymed verse: Act I, ll. 71-2; ll. 331-2; ll. 365-6; ll. 373-4; ll. 396-7; ll. 434-5; ll. 447-8; ll. 51-2; ll. 490-1; ll. 501-2; ll. 578-81; Act II, ll. 57-8; ll. 119-20; ll. 161-2; ll. 176-85; ll. 190-1; ll. 194-209; ll. 248-277; 326-7; ll. 401-4; ll. 427-8; ll. 456-7; ll. 499-500; ll. Act III, ll. 82-3; ll. 314-5; ll. 459-60; ll. 479-80; ll. 619-22; ll. 625-46; ll. 649-60; ll. 718-49; Act IV, ll. 41-2; ll. 75-6; ll. 77-92; ll. 128-41; ll. 161-6; ll. 231-2; ll. 241-2; ll. 256-7; ll. 327-8; ll. 386-7; ll. 471-2; ll. 504-5; Act V, ll. 1-14; ll. 17-24; ll. 78-9; ll. 92-3; ll. 169-70; ll. 178-81; ll. 235-40; ll. 265-6; ll. 906-7; ll. 912-3.

CHAPTER EIGHT

Sejanus in the Early Restoration: Old Drama and Contemporary Politics

There is no clear evidence as to the date of the revival of *Sejanus* during the Restoration period. Downes, the only authority on such a revival, gives no specific date, though he refers probably to 1663, the year in which the King's Company started playing in their new theatre in Drury Lane. The task of establishing the date of the alleged revival is made particularly difficult due to the fallibility of some of Downes's statements and the inaccuracy of many of his dates. Herford and Simpson cite Downes (*Roscius Anglicanus*, p. 8), as indicating that the two tragedies were "acted before 1663 at the Theatre Royal" (H. & S., *Ben Jonson*, IX, p. 241). The two editors' inference is both ambiguous and erroneous for two reasons. Firstly, Downes does not provide dates for the plays he lists in his book. Secondly, the Theatre Royal opened *in* 1663 and not *before*. Elsewhere in their impressive volumes of Jonson's works, the Oxford editors suggest, however, that *Sejanus* "was acted after the revival of *Catiline*", namely, after 1668 (H. & S., IX, p. 191).

This chapter will seek to study *Sejanus* within the perspective of early Restoration politics and then endeavour to establish whether and how this play had a valid contemporary significance for the Restoration playgoer. In other words, I shall investigate Downes's tantalizing, but almost neglected, statement, quoted above, and endeavour to establish the motivation, if any, behind reviving *Sejanus* on the Restoration stage. A further purpose will be to attempt to establish the appropriate date of such a revival during this period. The play will, by necessity, be viewed within the contexts of the contemporary circumstances of the first decade of the Restoration period. As will be seen below, *Sejanus*, by virtue of its scenes of treason trials in general and the trial of Silius in Act III in particular, bears intriguing similarities to a

major political event of the time, namely, the treason trial of Sir Henry Vane in 1662. Having re-examined the literary climate of 1660s, it is, however, plausible to suggest that *Sejanus* may have had its revival after 1668. To the factors, discussed in the previous chapter, that may have contributed to the revival of interest in Jonson's *Sejanus*, may then be added, as will be shown, the possibility that the play impinged upon this sensitive issue, and paralleled the main political concerns of the 1660s. In fact, not only would the Vane trial issue have remained alive in the memories of Restoration Englishmen by 1668/9; it would have, no doubt, been safer for the King's Company not to be seen reviving an old play for the ostensibly primary purpose of reflecting a highly sensitive issue.

I

Theoretically, it can be suggested that Charles II may have had an interest in watching a play whose main source of material is Tacitus's *Annals* -a major reputable, albeit controversial, historical work, on monarchies and absolute rulers. Furthermore, Jonson's play, with its adept characterization of Tiberius, a despotic ruler and master of Machiavellian arts of government, may have attracted Charles II, who himself had a fine combination of dissimulation and political shrewdness, as has been shown in the previous chapter. As the Restoration audience comprised mainly, though not only, courtiers and other members of the élite, *Sejanus* would have appealed to a large part of the Restoration society. The overtly harsh criticism the play offers on corrupt courts, sycophantic counsellors, self-seeking courtiers and despotic rulers, would have nevertheless attracted the very spectators whom it would have seemed to criticize. Restoration playgoers often enjoyed seeing themselves and their rivals being ridiculed or mimicked on stage. Actors, especially the women-players of the Restoration, maintained close terms with the ladies and gentlemen of the court. In some cases the latter collaborated with players in order to have their rivals at court ridiculed, or to make certain allusions to gallants and ladies of the town.¹

That the Restoration theatre should be concerned with a political play like *Sejanus* in the opening years of the Restoration is highly probable in a time of moral degeneration and of acute political tension. Themes on the Commonwealth and the Restoration were a major and recurrent subject in the political drama after 1660.² "Parallel constructing", in political plays, Robert Hume reminds us, was "one of the seventeenth century's favourite games." (*Ibid.*)³ The general euphoria that marked the restoration of the monarchy in England in May 1660 proved disappointingly short-lived. People had set their expectations of political and religious settlements too high. The harsh reality of Restoration politics was soon to dash the rosy dreams of those who had looked at the restored monarch as their only and last hope of re-establishing law, order, and prosperity. The first few years after 1660 were thus marked with increasing popular discontent. This resulted mainly from the failure of the restored monarchy to find a religious settlement acceptable to the majority of an already divided nation. Before his accession to the English throne, Charles II had won the hearts and minds of most of his subjects by virtue of the promises made in the Breda Declaration; such promises, however, were not to materialise. In that Declaration Charles II had promised religious toleration:

we do declare a liberty to tender consciences, and that no man shall be disquieted or called in question for differences of opinion in matter of religion which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an Act of Parliament as ... shall be offered to us for the full granting that indulgence.⁴

As the period progressed, experience was to show Charles's deviousness in the Declaration. Despite his apparent favour of religious toleration, he prevented the Convention Parliament from enacting a religious settlement in 1660.⁵ Despite the major current of opinion that ran in favour of Anglicanism, there were considerable voices of dissent which advocated toleration and non-conformity.

The political air was heavy with other kinds of discontent. The usual antagonism between monarch and parliament, the major cause of the recent civil wars, came back to the fore. Charles had reiterated in royal messages from Breda to the Convention Parliament that the restoration was as much one of parliament as of the

monarchy. He had emphasized the independence of crown and parliament, adding that parliament was part of the constitution. However, the political history of the first few years of the period shows an escalating conflict between Charles II and his parliament. Such a conflict came to a climax which had developed from disagreement between the King and his Parliament over the issue of Charles's close advisers. As time was to show, a constitutional crisis between King and Parliament over this issue was averted when Charles II abandoned his chief minister, Clarendon.⁶ A play that criticizes the absolute ruler's manipulation of parliament, *Sejanus* would have been an apt choice to reflect through drama the major political concerns of the age.

Religious repression, political tension, the extravagance and vices of the king, rivalry and corruption within the court, favouritism and the inflation of royal offices and honours all combined to give the Restoration subject causes for concern. With the draconian laws imposed against dissenters, and the employment of the militia and a network of spies and informers to suppress dissent, a great majority of Restoration Englishmen had much to complain about, but not the means to do so - at least not without great risk. Even the Commons in some cases acted in abject sycophancy to the King and enacted his wishes. On 20 May 1661, for instance, they obliged themselves to take the Sacrament according to the rites of the Church of England, and ordered the Solemn League and Covenant to be burned.⁷ Moreover, they added a series of measures to the Statute Book of such a nature as to strengthen the position of the monarch. Least expectedly, the parliament endorsed the Militia Act (1661), which had caused the breach between Charles I and the Long Parliament in 1642. The Act made the following pronouncement:

The sole supreme government, command and disposition of the militia and of all the forces by sea and land, and of all forts ... is, and by the laws of England ever was, the undoubted right of his majesty ... and that both, or either of the houses of parliament cannot, nor ought to pretend to the same.⁸

This total submissiveness towards the monarchy, and the obvious abandonment of parliament's share in power were seen as sowing the seeds of absolutism in the early reign of Charles II. In yet another surprising move, Parliament issued a comprehensive

act for the safety and preservation of His Majesty's person. The Licensing Act of 1662 imposed the penalties of high treason on the dissemination of unorthodox and subversive views against the king or the established religion, through the media of printing, writing or preaching.⁹ They also extended the law of treason, based on the statute of 1353, which had protected the king against war and violence.

The new law forbade such anti-royal activities as riots and unorthodox meetings, allegedly intended for endangering the monarch's life or depriving him forcibly of his authority. Such an Act was abused in some cases in order to secure the removal of many political opponents during the reign.¹⁰ Overt acts that could allegedly endanger the safety of the king, dishonour his name or authority had had to be proved by two witnesses, but after the Restoration it was ruled by Bridgeman during the trials of the regicides in 1660 that for such overt acts one witness was sufficient.¹¹ No doubt, Restoration theatregoers would have been reminded of this new law as they watched *Sejanus*, especially the scene in Act Four (ll. 115 ff.), when Sabinus is trapped by Latiaris into making critical remarks about Tiberius, and earlier in Act Three during the trial scene of Cordus and Silius (ll. 155-469). Such scenes would have been stark analogies to the Restoration Treason Act which embodied the authorities' harsh measures to suppress both printed material and spoken views unfavourable to the State. Even reprieve of some of those convicted or suspected of anti-royal activities did not mean release from imprisonment. Those included in the Act of Indemnity after Charles's return to England were left to languish in prison, probably envying the fate of those regicides who lost their lives upon the scaffold.

Such a gloomy political atmosphere inevitably fostered rumours of plots and armed rebellions. Indeed, a series of plots assailed the body politic soon after the restoration of the monarchy. Most of them were in fact inept and ineffective, both politically and militarily. However, they increased the atmosphere of tension and fuelled nation-wide panic. Every time there were rumours of an armed rebellion, the government wasted no time in authenticating them but it immediately imposed its draconian measures. One of the earliest plots occurred in December 1660. An old

Cromwellian soldier was arrested and, upon being questioned, confessed that there was a design to murder General Monk and seize Whitehall. Subsequently, sixty suspects were captured, including Colonel Overton, one of their leaders.¹²

In early January 1661 a Fifth Monarchy fanatic, called Henry Venner, led a rising aimed at overthrowing monarchy and replacing it with the reign of Christ upon earth. Venner's plans were divulged through the use of government spies. Rumours of the intended armed rising produced acute anxiety and the government struck at the wrong target: former army officers. On 6 January Venner and his men started the rising while the king was away. They occupied St. Paul's and intended initially to seize the capital and then to announce the reign of armed saints. The militia and royal guards were called upon and Venner's rising was crushed. His men, who numbered about thirty-five, were overpowered and killed or captured. Fourteen of them, including Venner himself, were subsequently executed and their heads placed upon London Bridge.¹³ Venner himself was executed before the very meetinghouse where he had preached. The manner of his execution, which followed an ancient custom, was most inhuman and reminiscent of the way in which the Roman victims of Tiberius' campaign of terror, as dramatised in Jonson's *Sejanus*, were executed. Venner was hanged, his privy parts were cut off, his head severed from his body, his bowels removed and burned, and his body cut into quarters. Such excessive savagery created disillusion especially among those who had welcomed the restored monarchy as the hope of securing peace and justice.

In the wake of Venner's rising the government issued severe measures and a royal proclamation forbidding unorthodox meetings and authorizing the militia to search houses and make arrests.¹⁴ In fact, the government found in Venner's rising a pretext to pursue its strict policy and persecute dissenters and former republicans. Inevitably, innocent people were caught in the government's net. Within a short period after Venner's rising, a large number of Quakers and members of other gathered churches were languishing in prison.¹⁵ There are a few other examples of plots or

plot-scares in the first two years of the reign,¹⁶ and the government used them to foster fear while it preached reconciliation.

Amidst the atmosphere of panic and fear of possible rebellions and conspiracies, the government pursued its policy of hunting down republican sympathizers and religious dissenters. The Secretaries of State employed a network of spies and agents who infiltrated suspected groups and communities. During the period under discussion religious dissent was equated with political factionalism. An active way of eliminating old enemies who had not actively supported the previous republican regimes was to implicate them in alleged insurrections. Promises made to gathered churches were also broken. For instance, despite the King's May proclamation on behalf of the Quakers which produced the release from prison of many, the following eight months witnessed more arrests and imprisonments in nineteen counties.¹⁷ In London itself, Browne and Robinson were reported to have two hundred Quakers in prison by August 1662, and two of their greatest leaders died of diseases in their prison cells.¹⁸ In many places, the new law against unorthodox meetings was applied with much vigour and unfairness as to intimidate the rank and file. Their leaders were often charged with *praemunire*; at least eighty Quakers were arrested that way between 1663 and 1664.¹⁹ The Act of Uniformity, which received the royal assent on 19 May 1662, was intended primarily to suppress religious dissent and schism. Its main objective, however, was outward observation rather than doctrine.²⁰ All clergy were accordingly ordered to use the Common Prayer Book and to declare their "unfeigned assent and consent to all and every thing contained and prescribed."²¹ They were also obliged to make oaths not to oppose royal authority and to disclaim the Covenant. Those who failed to abide by these strict requirements were in fact rejected on 24 August 1662 from their livings and many were disqualified from their teaching profession.²² This tense atmosphere of repression and spying would have no doubt been aptly re-enacted on the Restoration stage in the words of Arruntius in Jonson's Roman tragedy, *Sejanus*:

No place, no day, no houre (we see) is free
(Not our religious, and most sacred times)
From some one kind of cruelty: all matter,

Nay all occasion pleaseth.

(IV. 312-15)

The similarity between the atmosphere of repression in early Restoration England and that created by Tiberius, Sejanus and their spies is easily recognizable.

II

Sejanus and the Treason Trial of Sir Henry Vane

If *Sejanus* held the mirror up to early Restoration politics, it was mainly through the treason trials in Act III. It is highly likely that the play was intended for revival in the early Restoration because it was seen to present, through the treason trial of Silius, strong analogies to the famous trials of the regicides and, more particularly, to the recent trial of Sir Henry Vane. The histrionic trial of Vane was the most significant political event in 1662. It excited extensive public interest and was attended by a large assembly of interested spectators. A contemporary report records the minutes of his execution:

He went very cheerfully and readily down the stairs from his chamber, and seating himself on the sledge (friends and servants standing about him) then he was forthwith drawn away towards the Scaffold. As he went, some in the Tower (Prisoners as well as others) spake to him, praying the Lord to go with him. And after he was out of the Tower, from the top of the houses, and out of the windows, the people used such means and gestures as might best discover, at a distance, their respects and love to him, crying aloud, 'The Lord go with you, the great God of Heaven and Earth appear in you, and for you;' whereof he took what notice he was capable in those circumstances, in a cheerful manner accepting their respects, putting off his hat and bowing to them. Being asked several times, how he did, by some about him, he answered, "Never better in all my life." Another replied, How should he do ill that suffers for so glorious a cause?

(Cobbett, *State Trials*, vol. 6, p. 192)

This dramatic event was accompanied by "loud acclamations of the people". The cheerful manner in which Vane behaved made it hard "to persuade many of the people that he was the prisoner" (Cobbett, vol. 6, p. 192). On the scaffold Vane made an emotional speech, but was then interrupted by the lieutenant of the Tower, Sir John Robinson, and as Vane later tried to resume his speech "the trumpets were ordered to sound or murre in his face, with a contemptible noise, to hinder his being heard ..." (Cobbett, vol. 6, p. 193). The trial was seen as a mere contrivance on the part of

Vane's enemies. The verdict of contemporary reports on the trial are unambiguous. One document commented on the trial of Vane, his patriotic attitude, and his martyrdom-like death in the following terms:

Sir Henry Vane was long in his defence, but not tedious. He much perplexed both court and counsel; and has aquired eternal reputation, by nobly pleading for the dying liberties of his country; it being clear, that all the party which seemed to be indemnified by the act of amnesty, shall be punished in his person. (Cobbett, *State Trials*, p. 189)

The trial was far more than a fleeting political cloud in the already unsettled climate of Restoration politics. In fact, it dominated the political arena for over a year, from 1 July 1661, when Vane was arrested and confined in the Tower, until 14 June 1662, when he was executed. The affair was even immortalized when a book on the life of Sir Henry Vane and the particulars of his trial was published in the same year of his execution.²³ On 22 May 1662, Pepys received "an order from the Secretary of State Nicholas, for me to let one Mr. Lee, a counsellor, to view what papers I have relating to passages of the late times wherein Sir H. Vanes hand is employed -in order to the drawing up his charge; which I did" (Pepys's *Diary*, vol. III, p. 88). On 7 June of the same year, the day following Vane's trial, Sir J. Robinson, Lieutenant of the Tower, told Pepys that "yesterday Sir H. Vane had a full hearing at the Kings bench, and is found guilty. And that he did never hear any man argue more simply then he in all his life, and so others say" (Pepys, vol. III, pp. 103-4). One week after Vane's execution, Pepys recorded that "the courage of Sir H. Vane at his death is talked on everywhere as a miracle" (Pepys, vol. III, p. 112). Three days later, 21 June 1662, Pepys asked the Lieutenant of the Tower about the manner of Vane's death and was told that "he died in a passion; but all confess, with so much courage as never man died" (Pepys, vol. III, p. 116). Many months later, the trial was still a fresh issue, commanding great public interest. For on 11 February 1663, Pepys made the following entry in his *Diary*: "... at night my wife read Sir H. Vanes trial to me, which she begun last night, and I find a very excellent thing, worth reading, and him to have been a very wise man" (Pepys, vol. IV, p. 40).

Sir Henry Vane was a Puritan statesman, an ardent exponent of parliamentary rule and an avowed opponent to absolutist monarchy. He had supported the "good old cause" against the royalists, although he had never had any active role in the regicide. As a public figure, he commanded considerable respect and support among his contemporaries. Under Charles I he had been Treasurer of the Navy and governor of Massachusetts (1636-37). Before the Civil War he had been elected to represent his county of Durham in the House of Commons. According to a contemporary report, Vane possessed "a just and noble eloquence, with an easy and graceful manner of speaking. To these were added a singular zeal, and affection for the good of the commonwealth, and a resolution and courage not to be shaken or diverted from the public service" (see Cobbett, vol. 6, p. 190n.). He was also a man of high integrity and always stood by his principles. Vane had been an ally of Cromwell and had supported the republican cause against Charles I. He, however, had left London at the time of the king's trial and the subsequent execution. Later, Vane became Cromwell's enemy when he criticized the quasi-dictatorship of the Cromwellian army, and, as a result, suffered imprisonment and hardship. After the return of Charles II to England he was arrested on 1 July 1661 at Hampstead and accused of plotting against Charles II. He was confined in the Tower until October 1661, when he was moved to the Scilly Isles, out of the reach of republicans and of *habeas corpus*.²⁴ Though he had been indemnified with those whose action did not amount to regicide, his pardon was later revoked, as Charles II deemed him too powerful, and therefore too dangerous to live. He was accused of high treason against the King on 2 June 1662, found guilty on 6 June, and executed on 14 June of the same year.²⁵ Despite the trumped-up charges against him, Vane made a spirited defence, displayed wit and bravery and defended his principles.

The arrest and trial of Sir Henry Vane occurred during a period of acute religious -and thus political- tension. The issue of religious toleration was uppermost in the minds of the majority of Englishmen in 1662-63. On 22 June 1662, Pepys reports a meeting with a

Will Swan, who doth talk as high for the fanatiques as ever he did in his life; ... he finds, that he and his company are the true spirit of the nation, and the greater part of the nation, too -who will have liberty of conscience in spite of the act of uniformity, or they will die; and if they may not preach abroad, they will preach in their own houses. He told me that certainly Sir H. Vane must be gone to Heaven, for he died as much a martyr and saint as ever any man died. And that the king hath lost more by that man's death then he will get again a good while. At all which, I know not what to think; but I confess I do think that they do.

(Pepys, *Diary*, vol. III, p. 117)

A week later, 30 June, Pepys made a significant observation on the major current concerns:

This I take to be as bad a Juncture as ever I observed. The King and his new Queene minding their pleasures at Hampton Court. All people discontented; some that the king doth not gratify them enough; and the others, Fanatiques of all sorts, that the King doth take away their liberty of conscience; and the heighth of the Bishops, who I fear will ruin all again. They do much cry up the manner of Sir H. Vanes death, and he deserves it.

(Pepys, vol. III, p. 127)

Pepys's observation makes the suggestion of the possible revival of *Sejanus* in this period very likely. The intensity of popular sentiment against the maladministration by Charles II and his close advisers of state affairs would have no doubt offered Killigrew an unmissable opportunity to score a major theatrical success by reviving *Sejanus*, an ostensibly historical drama which, nevertheless, aptly embodied a major current issue of the time. Further, Pepys's entry for 16 February 1663, again captures the atmosphere of the time, and underlines the same point:

... so to Westminster-hall and there find great expectation what the parliament will do, when they come two days hence to sit again, in matters of religion. The great Question is whether the presbyters will be contended to have the papists have the same liberty of conscience with them or no, or rather be denied it themselves ...

(Pepys, vol. IV, p. 44)

Ten days later Pepys reported that "The Commons in parliament ... are very high to stand to the act of uniformity, and will not indulge the papists ... nor the Presbyters" (Pepys, vol. IV, p. 58). That the question of religious toleration was a hot issue during this time is also evident in Pepys's entry for 3 March 1663: "... This afternoon Roger Pepys tells me that for certain the King is ... very highly incensed at the Parliaments late opposing the indulgence; which I am sorry for and fear it will breed great discontent" (Pepys, vol. IV, p. 65).

The trial of Sir Henry Vane should not be looked at in isolation of the general political and religious atmosphere of the time. Indeed, it is within this framework of religious and political uncertainty and apprehension that the Vane trial becomes highly interesting. The trial derives its political significance from the fact that it was the culmination of a sensitively religious and, by necessity, political issue. Religious heterodoxy was a matter of great concern for the King and his parliament. In fact, one indication of the reasons as to why the Restoration court ordered the arrest of Vane and decided to put him on trial at this time, though he had been indemnified earlier, was his alleged association, since 1661, with the notorious Fifth Monarchy rising in that year.²⁶ In the words of a modern biographer, Sir Henry Vane was an outstanding protagonist of religious toleration, on which he spoke and wrote with passion. ... he consistently supported religious toleration, and the determination with which he fought for this novel principle, against opponents of all kinds, compels admiration, as do the logical and sincere arguments on which he based his policy.²⁷

The assumption is based upon a commonly-held view by 1659 that, while in prison in September 1656 on the Isle of Wight (the result of his criticism against Cromwell), Vane had met a fellow prisoner, John Rogers, a famous Fifth Monarchy preacher, and another, Christopher Feake, imprisoned on the same island.²⁸ Though it is impossible to establish whether Vane was in fact a Fifth Monarchist, it is not hard to sympathize with those who held the view that he was. Vane shared a number of objectives sought by the Fifth Monarchist, such as changing the law of the land and replacing it with the Mosaic Code. Vane also shared with the Fifth Monarchists their enthusiasm for religious toleration, a major hot issue of the time.

The trial of Silius in Jonson's play bears ample and intriguing similarities, both general and specific, to the trial of Sir Henry Vane. Both men were public figures who wielded influential positions under their respective rulers. Each was an exponent of republican rule and a staunch supporter of the rights of the people. In consequence, each was considered too dangerous to survive. Moreover, both were accused of high treason against their monarchs, stood unfair trials, faced trumped-up charges and lost their lives for defending their principles.

Despite a few non-correspondences that exist between the two figures,²⁹ it can be suggested with reasonable certainty that the audience of the probable revival of *Sejanus* was able to identify Silius with Sir Henry Vane, a known puritan, at an early stage in the action of the play. Silius's early lines in the play are punctuated with religious references to the "gods" which may well have established a recognizable link between him and Sir Henry Vane. Indeed, the first references to "the gods" in the play are made by Silius; in response to Sabinus's critical remarks about the responsibility of the Romans for the deterioration of their body politic, Silius replies:

Well, all is worthy of vs, were it more,
 Who with our ryots, pride , and ciuill hate,
Haue so provok'd the iustice of the gods.
 We, that (within these fourescore yeers) were borne
 Free, equall lords of the triumphéd world,
 And knew no masters, but affections,
 To which betraying first our liberties,
 We since became the slaues to one mans lusts;
 And now to many.

(I. 56-64; emphasis added)

Silius's lines are significant in their ability to establish distinct analogies, not only to Sir Henry Vane, but also to the "riots, pride, and civil hate" of their own civil wars of the Interregnum and the confusion and disorder which had accompanied them. The audience of the probable revival of *Sejanus* would have also interpreted Silius's lines, "We that (within these fourscore years) ... the triumphéd world," as a reference to those years of the Commonwealth, during which Vane was an administrator in the Navy when the English Navy achieved great victories against the Dutch fleets, in sharp contrast to the defeat of the Restoration Navy in the Dutch war in 1662. The implicit reference to Englishmen becoming "the slaves to one man's lusts," would have alluded not only to Charles II but also to Cromwell, whom Vane equally opposed when the former almost became a monarch in all but name. Further religious references made by Silius, which underline the link with Vane, occur at I. 125, .I. 203-8, II. 470, and in his trial speech, particularly at III. 250, 267.

In Jonson's Roman tragedy, the trial of Silius occupies a central position within the action. It is attended by a large number of partial characters, some of whom, like

the Germanican Arruntius and Sabinus, praise the way in which the victim defends himself. Similarly, the trial of Sir Henry Vane in June 1662 was a great sensation. It was attended by a huge crowd of curious and responsive viewers. Pepys gives close accounts of the sensationalism on the final day of the trial and execution, 14 June 1662:

... about 11 a-clock, having a room got ready for us, we all went out to the Tower hill; and there, over against the Scaffold made on purpose this day, saw Sir Henry Vane brought.^(a) A very great press of people. He made a long speech, many times interrupted by the Sheriffe and others there; and they would have taken his paper out of his hand, but he would not let it go. But they caused all the books of those that writ after him to be given to the Sheriffe;^(b) and the Trumpets were brought under the scaffold, that he might not be heard.^(c)

Then he prayed and so fitted himself and received the blow. But the scaffold was so crowded that we could not see it done. But Boreman, who had been upon the scaffold, came to us and told us that first he [i.e. Vane] begun to speak of the irregular proceeding against him; that he was, against Magna Charta, denied to have his exceptions against the Endictment allowed. ... [Vane] changed not his colour or speech to the last, but died justifying himself and the cause he had stood for; and spoke very confidently of his being presently at the right hand of Christ. And in all things appeared the most resolved man that ever died in that manner and showed more of heate than cowardize, but yet with all humility and gravity.³⁰

Jonson's Silius, in close similarity with Vane, has "a long speech" in which he attempts to defend himself. He has 180 lines in the trial scene of Act Three, during which he is often interrupted by his accusers. However, three major passages of his speech run for 30 lines (240-269), 20 lines (295-315), and 21 lines (319-339), before he commits suicide. Further, in similarity to the manner of Vane's death at which the victim showed "more of heate than cowardize", Jonson's Silius tells Varo, his main accuser, that he will respond to his accusations "with more scorn than fear" (III. 176).

The two trials of Jonson's Silius and Sir Henry Vane in 1662 present, in the course of comparison, further conspicuous and significant similarities. Both men were put on trial according to a royal whim. In Jonson's play, Tiberius acquiesces in the suggestion put to him by Sejanus to eliminate Silius on the grounds that, among the Germanican faction,

He is the most of marke, and most of danger:
In power, and reputation equall strong.
(II. 286-87)

Though the suggestion to get rid of Silius is made in the play by the eponymous character, there is no doubt that Tiberius shared the same conviction. Similarly, Vane's fate was equally determined by a royal whim. King Charles II held the view that Sir Henry Vane was a figure too influential to ignore, and hence too dangerous to survive. In a letter to his chief councillor Clarendon, posted from "Hampton court, saturday two in the afternoon," King Charles wrote:

The relation that hath been made to me of sir H. Vane's carriage yesterday, in the Hall, is the occasion of this letter; which if I am rightly informed, was so insolent as to justify all he had done, acknowledging no supreme power in England, but a parliament; and many things to that purpose. You have had a true account of all; and if he has given new occasion to be hanged, certainly he is too dangerous a man to live, if we can honestly put him out of the way. Think of this and give me some account of it to-morrow: till when I have no more to say to you. To the Chancellor. 'In the possession of James West, esq. of Covent garden.'

(Cobbett, *State Trials*, pp. 187-88n.)

On 2 June 1662, Vane faced the charge that he,

together with other false Traitors, to the jurors unknown, did traitorously and maliciously assemble and sit together, and then and there consulted to bring the king unto destruction, and to hold him out of the exercise of his regal authority, and then and there usurped the government, and appointed officers, to wit, colonels, and captains of a certain army, raised against the king...

(Cobbett, *State Trials*, pp. 142-43)

Similarly, in Jonson's play, Silius is charged by Varro with high treason "Against the majesty of Rome and Caesar" (III. 180), and is called "a traitor to the state". (III. 189). Silius's charges also include distortion and rapine (III. 187), shared by his wife Socia. This charge is warranted in Jonson's major historical source, Tacitus's *Annals*, (IV. 19): "In extortion they were undoubtedly both involved."³¹ Restoration readers or spectators of Jonson's play would have no doubt been reminded of similar charges made against Vane, before his trial in 1662. For, in fact, the sources of Vane's income and the extent of his personal wealth came under great suspicion, during the years of his prominence. In the words of his biographer, "the rumours of his financial gains, which had a considerable basis in fact, must have cost him and his cause much popularity."³² At his trial, however, Vane pleaded innocent of the charge in question:

.. I do publicly challenge all persons whatsoever, that can give any information of any bribes or covert ways used by me, during the whole time of my public acting. (Cobbett, *State Trials*, p. 165)

Both Silius and Sir Henry Vane conducted their own defences against the charges of high treason. In Jonson's play, Silius counter-accuses Varro of lying, "Thou liest" (III. 190), and accuses Tiberius of deception: "Caesar, thy fraud is worse than violence." (III. 209). He insists on having law rather than justice (III. 221-22), free from "Unkind handling, /Furious enforcing, most unjust presuming, /Foul wresting, and impossible construction" (226-29), and repeatedly complains of "confederacies" (241), "plots and combinations" (242). Although Varro promises to prove the charges against Silius, all evidence produced is hearsay. Similarly, Vane refuted his accusers's charges against him with much wit and eloquence. He denied the charge made against him that he intended to deprive Charles II of his royal authority. He claimed that he had been "discharged from being a member thereof about Jan. 9, 1660, and many of them [i.e. MPs] was charged, or at least strongly suspected, to be a royalist. Yea, I was not only discharged from my attendance in parliament, but confined as a prisoner at my own house, some time before there was any visible power that thought it seasonable to own the king's interest" (Cobbett, *State Trials*, p. 166).

Another charge was levelled against Vane that, on the day of Charles I's execution, his signature was found on "a Warrant to the officers of the navy to issue out stores for a Summer's Guard of the Narrow Seas". "The warrant of the 30th Jan. 1649," it was added, "was proved to be the hand of Sir Henry Vane by Thomas Lewis and Thomas Turner as they believe; neither of them affirmed that they him write it, but knowing his hand, believed it to be so" (*State Trials*, p. 149). Vane denied the charge and maintained that "his hand had been oftentimes counterfeited ... and that he had great reason to believe, that this warrant was forged and produced two witnesses to prove it" (*Ibid.*, p. 152). To a further charge that Vane was seen "sit in a Committee of the Council, in the years 1651 and 1652, which consisted only of members of the council", Vane answered that neither witness could prove that he ever saw him sitting in that council, and added that he had absented himself from the House of Parliament from 8 December 1648, till 7 February 1649, and also that he had been chosen a

member of the Council of State without his consent and knowledge (Cobbett, *State Trials*, p. 152).

Significant analogies can also be found in certain details of each of the two trials under discussion. In the play, Silius is accused by Varro of "dissembling long /That Sacrovir to be an enemy ..." (III. 184-5). The charge as recorded in Tacitus's *Annals*, IV. 20, reads: "longstanding connivance with Sacrovir and cognizance of his rebellion."³³ A parallel to this charge in Vane's trial can be made with reference to his alleged association with Cromwell and his army. Mindful with this charge, Vane deemed it crucial to deny it. He referred to Cromwell's rule as "an arbitrary regal power, under the name of Protector, by force and the law of the Sword); which I opposed from the beginning to the end, to that degree of suffering and with that constancy, that well near had cost me not only the loss of my estate, but of my very life, if he might have had his will, which a higher than he hindered [sic.]: yet I did remain a prisoner, under great hardships, four mounths in an Island, by his orders" (Cobbett, *State Trials*, p. 165). Another parallel between the two trials relates to Afer's charge against Silius in Jonson's play that the military commander boasted of the loyalty of his troops to Tiberius "when all other of the troops were prone /To fall into rebellion ..." (III. 274-6). This detail in the trial is closely paralleled by Vane's claim to the jury of his loyalty to King Charles II when other MPs rebelled against him:

... at a time critical and decisive, though to my own hazard and ill usage, I did declare my refusal of the Oath of Abjuration, which was intended to be taken by all the members of parliament, in reference to kingly government and the line of his now majesty in parliament. This I not only positively refused to take, but was an occasion of the second thought which the parliament reassumed thereof, till in a manner they came wholly at last to decline it: A proof undeniable of the remoteness of any intentions or designs of mine, as to the endeavouring any alteration or change in the government; and was that which gave such jealousy to many in the house, that they were willing to be the first occasion to shew their dislike of me, and to discharge me from sitting among them.

(Cobbett, *State Trials*, p. 164)

In the play, Silius questions the whole legality of his trial, when his request, to have his case adjourned until Varro's consulship has ended, is rejected:

Why? Shall he designe
My day of tryall? is he my accuser?

And must he be my iudge?

(III. 199-201)

Likewise, Sir Henry Vane repeatedly expressed his dissatisfaction with the lawfulness of the trial:

The matters done by me, in the one respect or other, if they be deemed offences, are punishable only in parliament; and I ought not to be questioned for them in any inferior court. ... And further, the bringing of this case under the jurisdiction of this court, or of any other but a parliament, may prove of very dangerous consequence, in point of precedent, and most disagreeing to all rules of justice.

(Cobbett, *State Trials*, p. 172)

In the play, Silius complains of a plot by his accusers to convict him unjustly of treason:

Alas, I sent not your conf'deracies?
Your plots, and combinations? I not know
Minion SEIANVS hates me; and that all
This boast of law, and law, is but a forme,
A net of VULCANES filing, a meere ingine,
To take that life by a pretext of iustice
Which you pursue in malice? I want braine,
Or nostrill to perswade me, that your ends,
And purposes are made to what they are,
Before my answere.

(III. 241-50)

In a similar way, Vane protested to the jury of the mere formality of the proceedings against him, and the false justice under which his enemies sought to destroy him:

... unless some remedy be afforded by the justice, candor and favour of this Court, it may be better for the prisoner (for ought he yet knows) to be immediately destroyed by special command (if nothing else will satisfy) within any form of law ... This may seem better, than under a colour and form of justice, to pretend to give him the benefit of the law and the king's courts, whose part it is to set free the innocent, upon an equal and indifferent trial had before them, if their cause will bear it: but it is very visible beforehand, that all possible means of defence are taken and withheld from him, and laws are made *ex post facto*, to forejudge the merit of the cause, the party being unheard.

(Cobbett, *State Trials*, p. 147)

Later, shortly before his execution, Vane reiterated his doubts about the fairness of the trial:

I must still assert, that I remain wholly unsatisfied that the course of proceedings against me at my trial were according to law, but that I was run upon and destroyed, contrary to right, and the liberties of Magna Charta, under the form only of justice; which I leave to God to decide, who is the Judge of the whole world, and to clear my innocency."

(Cobbett, *State Trials*, p. 196)

Another detail in each of the two trials under discussion presents a revealing similarity. In Jonson's play, Silius, upon hearing the word "crimes" imputed against him by Afer, the orator and one of his main accusers, he retorts angrily:

What are my crimes? Proclaime them.
Am I too rich? too honest for the times?
Have I or treasure, iewels, land, or houses
That some informer gapes for? Is my strength
Too much to be admitted? Or my knowledge?
These now are crimes.

(III. 168-73)

That Vane was deemed by Charles II too strong and thus too dangerous to survive has already been noted. Significantly, like Silius, Vane was a wealthy man. His wife, Frances Wray, had brought him a dowery of £5500, a considerable amount of money in the standard of the time, £3000 of which he used to purchase a farm and other lands in Staindrop, the village which adjoins Raby Castle (Cobbett, *State Trials*, p. 10). Upon Vane's arrest, Charles II was requested by several vulture-like aspirants to make grants of Vane's estates in Kent or Durham. (Cobbett, pp. 233-34) In his intended defence, Vane cited Coke on this matter: ".. my goods and estate have been long begged by several persons, and granted: whereas the begging of the goods and estate of any delinquent, accused or indicted of treason, before he be convicted and attained, is utterly unlawful" (Cobbett, p. 185).

One major point of similarity between Silius's trial and that of Sir Henry Vane in 1662 is the unfairness of the charges and the awkwardness of the trials in legal terms. Vane, at his trial on 2 June 1662, protested that he was "under an incapacity to bring witnesses, as well from the nature of the house, as from the shortness of time, having heard nothing of his charge, and being kept a close prisoner, to the last day. His solicitors and persons employed in his law-business, were also restrained from him" (Cobbett, p. 147) Vane also complained that all the charges against him personally relate to decisions taken by "parliamentary councils and arms", and could not be justly said to amount to high treason (Cobbett, p. 147). He asked to have council assigned to him on several points of law, such as whether it was legal to impeach the collective body of parliament of high treason, and whether any member acting by authority of

parliament could commit treason (Cobbett, pp. 153-54). Justice Forster, one of the Jury, replied that "privilege of the parliament is no shelter for breach of the peace, much less for treason" (Cobbett, p. 156). Vane, however, wittily remarked that "Upon the whole matter, there is not any precedent that ever both or either of the houses of parliament did commit treason"; he also asked: "... if either or both Houses cannot commit treason, then those acting by their authority cannot ... If those that command do not, nor can commit treason, how can those that act by their authority be guilty of it?" (*Ibid.*, p. 168). Sir Henry Vane knew that he was doomed and that his fate had been pre-judged. He requested the court to call his witnesses and asked for more time to answer the charges. "But it was told him, the jury were to be kept without meat, drink, fire or candle, till their verdict was delivered in; and that therefore that could not be granted" (Cobbett, p. 152).

Like Silius in Jonson's play, Vane displayed wit, courage and eloquence in his defence against all charges.

Come, do not hunt,
And labour so about for circumstance,
To make him guiltie, whom you haue fore-doom'd.
(III. 295-97)

Similarly, in his defence, Sir Henry Vane claimed that "The Solicitor ... had a long whisper with the Foreman of the Jury in the court, before they went to verdict, telling him, 'The prisoner must be sacrificed for the nation,' etc" (Cobbett, 187). Both Silius and Sir Henry Vane displayed impressive composure and fearlessness of death in the face of their accusers. In the play, Silius thus derides his judges:

It is not life whereof I stand enamour'd:
Nor shall my ende make me accuse my fate.
The coward, and the valiant man must fall,
Only the cause, and manner how, discernes them:
Which then are gladdest, when they cost vs dearest.
(III. 332-36)

Vane expressed the same purport in close similarity:

I ... have best known my own mind and intentions throughout, and would not now, to save my life, renounce the principles of that righteous cause, which my conscience tells me was my duty to be faithful unto.
(*Ibid.*, p. 148)

Vane also requested a permission to add that he had always acted "for the good of his country, and of the people of God in it. Upon this bottom ... he is fearless, and knows the issue will be good, what it prove" (Cobbett, p. 148). In his intended defence, which was refused to be heard by the court, Sir Henry Vane displayed a will of a resolute Stoic, and patriotism reminiscent of classical heroes:

No, my lords, I have otherwise learned Christ, than to fear them that can but kill the body, and have no more that they can do. I have also taken notice in the little reading that I have had of history, how glorious the very Heathens have rendered their names to posterity, in the contempt they have shewed of death (when the laying down of their life has appeared to be their duty) from the love which they have owed to their country.

(*Ibid.*, p. 183)

Specific analogies between the two trials are no more obvious and striking than in the concluding sentences of both victims before their death. In the play, Silius submits to his inevitable fate, but not without setting an example of resisting tyranny:

Romanes, if any here be in this *Senate*,
Would know to mock TIBERIVS'S tyrannie,
Look vpon SILIVS, and so learne to die.

(III. 337-39)

In a striking similarity Vane drew his speech to a conclusion, asking the spectators of his trial to learn from his example: "For if any man seek a proof of Christ in me, let him read it in this action of my death, which will not cease to speak when I am gone" (Cobbett, p. 197).

The unfair trial of Sir Henry Vane and the spirited defence he presented in the face of the interested court won him the sympathy of friends and foes alike, even of those who had exulted in the executions of the regicides. It is hardly surprising, therefore, to find Ludlow, one of the regicides in exile of the time, describing the manner of Vane's death in highly favourable terms:

In the month of July 1662, I received letters from England with an account of the trial, sentence, and death of sir Henry Vane: of which I shall only say, that he behaved himself on all those occasions in such a manner, that he left it doubtful, whether his eloquence, soundness of judgment, and presence of mind, his gravity and magnanimity, his constant adherence to the cause of his country, and heroic carriage during the time of his confinement, and at the hour of his death; or the malice of his enemies, and their frivolous suggestions at his trial, the breach of the public faith in the usage he found, the activity of the bench, and the savage rudeness of the sheriffe, who commanded the

trumpets several times to sound that he might not be heard by the people, were most remarkable.

(Cobbett, p. 189)

Another contemporary report gave equally commendable accounts of Sir Henry Vane's death:

On Friday last, being the 16th of this instant June 1662, sir Henry Vane pleaded for his life, and maj-gen. Lambert for his: or rather, the first pleaded for the life and liberties of his country, and the other for his own. The issue in all appearance will be, that sir Henry will be put to death, and Lambert pardoned, though both are under sentence of condemnation. The reason of this distinction is no other than the manner of their defence.

(Cobbett, p. 189)

Jonson's *Sejanus*, one can conclude, was a highly significant play during the Restoration, particularly as early as 1662. Having closely discussed the general political, religious and social atmosphere of the opening years of the era in question, it is encouraging to find much truth in Downes's statement that *Sejanus* was revived with considerable success on the Restoration stage. The striking analogies between the trial of Silius in Jonson's play and the sensational trial of Sir Henry Vane in 1662 makes it very likely that the play was revived later in this period. As the play was first produced at the time of the transition of power to James VI of Scotland, it is reasonable to suggest that it was intended for revival at a similar juncture when King Charles II restored monarchy into England. The play may thus have been intended to warn the new monarch against the dangers of despotism, favouritism and corruption at court in general.

That the probable audience of *Sejanus* was able to recognise the analogies between the two trials is hardly in doubt. The book on the trial, published in the same year, included contemporary reports and Vane's intended defence, parts of which Vane was not allowed to read during his trial. It is probable that the favourable public interest in Vane's trial and the subsequent publication of the book on the trial may have encouraged Killigrew's company to revive *Sejanus* during this period. The King's Company may have seen Jonson's play as good box office, at a time when competition with their rival company, the Duke's Company, was high.

However, the lack of references to a revival of *Sejanus* during this period, apart from Downes's report, poses uneasy questions. Whether Killigrew's company was allowed to produce the play at such a time of acute political tension and under strict terms of censorship is hard to establish. Though *Sejanus* is not an anti-monarchical play, it harks back, through the Germanican adherents, to the glorious days of the Roman republic and praises such republican activists as Cassius, Cato and Brutus. As the play contrasts the despotism and oppression of Tiberius's reign with the previous prosperous and peaceful days of Augustus, Charles II and his government would have inevitably drawn an analogy between their rule and that of the Commonwealth. The King's Company, after all, had their patronage from King Charles himself and it is unlikely that they would have risked losing the royal patent. Certain speeches in *Sejanus* would no doubt seem subversive to a King who was highly sensitive against political references. For example, the reference in the play to Brutus, who,

...(being proove
Against all charme of benefits) did strike
So braue a blow into the monsters heart
That sought vnkindly to captive his countrie
(I. 93-6),

would certainly be taken as an endorsement of murdering a lawfully instituted monarch, a measure which had been taken against Charles I.

Government censorship during the Restoration period was a serious matter. The Licensing Act of 1662, which censored drama among other forms of literature was applied with much rigour throughout the period. Tate's adaptation later in the period of Shakespeare's *Richard II*, always a dangerous play on the stage, is a significant example of the uneasy attitude of the Restoration authorities towards what was allegedly potentially "dangerous matter". With this in mind, the later date of 1668/9 for the revival of *Sejanus* becomes more plausible than the earlier date of 1662/63.

The issue concerning an actual revival of *Sejanus* on the early Restoration stage remains an open question. Whether such an intensely political play was allowed to be acted on the Restoration stage in the early 1660s is impossible to establish with absolute certainty. It is worth noting, however, that Webster's *The Duchess of Malfi*, a play

critical of dissolute monarchs, corrupt courts and sycophantic councillors (I. i, 6-19, for instance), was revived on the Restoration stage on 30 September 1662, by the Duke's Men (Pepys, *Diary*, vol. II, p. 327), and again on 25 November 1668 (Pepys, vol. VIII, p. 155).³⁴ Equally revealing is the revival on 25 February 1662, by the King's Company of Beaumont and Fletcher's *The Maid's Tragedy*,³⁵ a potentially offensive play, which deals with a dissolute king and his subsequent murder. *Sejanus*, may prove again capable of showing, in the words of Jonson's "philos", i.e., (friend), "later times ... in some speeches enweaved."³⁶

NOTES

1. See, for instance, James Cleaver, *The Theatre Through the Ages* (London, 1964), p. 72.
2. Robert D. Hume, *The Development of English Drama in the Late Seventeenth Century* (Oxford, 1976), p. 222.
3. See also, for example, Virgil L. Jones, 'Methods of Satire in the Political Drama of the Restoration', *Journal of English and Germanic Philology*, XXI (1922), 662-69.
4. Quoted by J. R. Jones, *Charles II: Royal Politician* (London, 1987), p. 44.
5. *Ibid.*
6. See Barry Coward, *The Stuart Age: A History of England 1603-1714* (London and New York, 1980), p. 242.
7. See *Parliamentary History of England*, edited by W. Cobbett, 36 vols. (1806-20), IV, p. 209; cited by David Ogg, *England in the Reign of Charles the Second*, 2 vols. (Oxford, 1965), second edition, I, p. 197.
8. Quoted by J. R. Jones, *Court and Country, England 1658-1714* (London, 1978), p. 143.
9. David Ogg, pp. 197-8; J. R. Jones, *Court and Country*, p. 148.
10. David Ogg, *England in the Reign of Charles II*, vol. II, pp. 512-13.
11. *Ibid.*, p. 513.
12. David Ogg, *England in the Reign of Charles II*, vol. I, p. 208.
13. See Richard Hutton, *The Restoration: A Political and Religious History of England and Wales 1658-1667* (Oxford, 1985), p. 151n., or Charles Hutton, *Charles the Second, King of England, Scotland, and Ireland* (Oxford, 1989), p. 162.
14. Richard Hutton, *The Restoration*, p. 151.
15. *Ibid.*
16. J. R. Jones, *Court and Country*, p. 87.
17. R. Hutton, *The Restoration*, p. 168.
18. *Ibid.*, p. 170.
19. *Ibid.*
20. J. R. Jones, *Court and Country*, pp. 147-48.
21. Quoted in *ibid.*, p. 148.
22. *Ibid.*
23. *The tryal of Sir Henry Vane, kt., at the Kings Bench, Westminster, June the 2nd and 6th, 1662, together with what he intended to have spoken the day of his sentence (June 11) for arrest of judgment (had he not been interrupted and over-ruled by the court) and his bill of exceptions. With other occasional speeches etc. also his speech and prayer etc. on the scaffold (1662).* The document, "The Trial of Sir Henry Vane, knt. at the King's Bench, for High-Treason: 14 Charles II. A. D. [Written by Himself]" is also in Cobbett, *State Trials* (London, 1810), 120-202, and reproduced in my Appendix D, Volume II.
24. See Violet A. Rowe, *Sir Henry Vane the Younger* (London, 1970), pp. 233-34.
25. See Violet A. Rowe, *passim*.
26. See Violet A. Rowe, *op. cit.*, p. 234.
27. Violet A. Rowe, pp. 1-2.
28. *Ibid.*, pp. 206-7.
29. Jonson's Silius, like his historical counterpart, was a military commander, whereas Vane was not, albeit his influential position as an MP plays down the divergence. Further, Silius commits suicide in the senate in anticipation of his execution, while Vane was, in fact, executed on the scaffold. Jonson's Silius is accused mainly of prolonging the war against Sacrovir, whereas Vane was accused of complicity with the parliamentary army against Charles II. Though these minor differences do not establish a problem in the case of a revival, the audience of the play would have been reminded in the text itself (I, 143-7) of the possibility of drawing parallels between two events or personages without finding identical correspondences.
30. *The Diary of Samuel Pepys*, vol. III, pp. 108-9. (a) For further accounts of Vane's execution, see *Mercurius Publicus*, 19 June, pp. 370-71; *CSP Ven. 1661-4*, p. 157; *The tryal of Sir Henry Vane, kt., ... (1662)*. (b) Some of the contemporary accounts taken by Vane's friends on the day of his execution survived; see, for instance, Cobbett, *State Trials*, vol. 6 (1661-78), pp. 119-202. (c) Vane's speech, parts of which will be discussed below, is printed in Cobbett, *op. cit.*

31. ranslated with an introduction by Michael Grant, p. 167.
32. Violet A. Rowe, *Sir Henry Vane the Younger*, p. 2.
33. Edited with an introduction by Micael Grant, p. 167.
34. See also Emmett L. Avery, 'A Tentative Calendar of Daily Theatrical Performances, 1660-1700', *Research Studies of the State College of Washington*, vol. XIII (1945), 329.
35. See Avery, *op. cit.*, p. 238.
36. A commendatory poem, "To him that hath so excelled on *this excellent subject*", prefixed to the 1605 quarto version of the play.

CHAPTER NINE

Catiline on the Restoration Stage: Overt Meaning and Contemporary Significance

As has already been seen, it was in the Restoration period that *Catiline* flourished and became an item in the repertoire. The main aim of this chapter is to study the revivals which this play enjoyed in the first decade of the Restoration, and to investigate why "*Catiline* was most familiar of all the plays of the two dramatists [Shakespeare and Jonson] in the seventeenth century ..." It is interesting, indeed, to learn that "not *Hamlet*, *Lear*, *Othello*, or *Macbeth*, but *Catiline* was the premier English tragedy in the minds of seventeenth-century writers."¹ We are informed that Shakespeare's *Julius Caesar*, for instance, popular as it was on the Jacobean stage, gained only thirteen allusions in the seventeenth century in a period ten years longer than that in which Jonson's tragedy won more allusions.² One can infer from such evidence that Jonson was more respected during this period than Shakespeare in relation to the treatment of the classical material and hence the neo-classical structure to drama, in the context of "decorum". It is evident that the popularity of *Catiline* persisted throughout the period, for as the seventeenth century drew to a close, Langbaine tells us, "*Catiline his Conspiracy*[was] still in Vogue on the Stage, and always presented with success."³ To determine the factors that led to this 'success' is the aim of the present chapter.

The rebirth of classical principles in the age, manifested notably in Dryden's criticism (*Essay of Dramatic Poesy*, pub. 1668) and in his plays, was due mainly to the erudite poet in the classical mode, Ben Jonson, whose work became the link between the modern dramatists and the ancient literature. If the revived interest in oratory and rhetoric was to find representation in the drama of the preceding eras, no plays could have been more qualified for such a task than Jonson's classical

tragedies, perhaps *Catiline* even more fitting than its predecessor. As the artistic taste of the latter half of the seventeenth century was mainly concerned with the search for elegance of style, precision of expression, decorum of characters and the pursuit of fluency, *Catiline* could have hardly been refused in such an age. The prophetic vision of the dramatist who strictly adopted "truth of Argument, dignity of Persons, grauity and height of Elocution, fulnesse and frequencie of Sentence,"⁴ as the main constituents of tragedy, need little comment.

Evidence regarding the stage history of *Catiline* after 1660 is scant. It has, in fact, to be gleaned from the sources available on the Restoration theatre and drama, such as Pepys's valuable *Diary*, *The London Stage*, and the 'Calendar of Daily Theatrical Performances, 1660-1700', among other authorities on this subject. Downes, as has been shown earlier, refers to the play as being revived during this period, though he gives no specific date of such a revival.⁵ In his *Diary*, Pepys mentions that on 18 December, 1664, he read *Catiline* and found it "a very excellent piece."⁶ On 7 December, 1667, he was told that "Catelin is soon to be acted, which I am glad to hear, but it is at the King's House. But the King's House is at present and hath for some days been silenced upon some difference [between] Hart and Moone..."⁷ Four days later, Pepys reported rumours that *Catiline* was

to be suddenly acted at the King's House; and there all agree that it cannot be well done at that house, there not being good actors enow: and Burt acts Cicero, which they all conclude he will not be able to do well. The King gives them £500 for robes, there being, as they say, to be sixteen scarlett robes...⁸

It is clear enough, according to Pepys' report, that the King's Men, with their cast of actors in 1667, were thought incompetent to perform a play like *Catiline*, with its long list of *dramatis personae* quite successfully. Cicero's role, of course, required an actor with special vocal and declamatory abilities; apparently, Burt, who was assigned that role, did not have such qualities.

However, as the King's promise of funds failed to materialise and due to the serious quarrel between two of the actors, the expected revival had to be delayed. The delay in Charles's promised grant to the players is typical of his parsimony,

bearing in mind that £500 in 1667/8 would have meant a large sum of money in present figures. Charles, however, was less reluctant to depart with royal garments than with cash in encouraging theatrical productions. Sometimes, royal members of the court contributed to a production similarly. Downes records such contributions by the court to the Duke's Theatre in the production of Davenant's *Love and Honour* at Lincoln's Inn Fields: "This Play was Richly Cloth'd; The King giving Mr. Betterton his Coronation Suit, in which, he Acted the Part of Prince *Alvaro*; The Duke of *York* giving Mr. *Harris* his, who did Prince *Prospero*; And my Lord of *Oxford*, gave Mr. *Joseph Price* his, who did *Lionel* the Duke of *Parma's* son." Another example of royal bestowal of costumes to the players occurred in August 1664 when the Duke's Men performed the Earl of Orrery's play, "King *Henry the 5th*" at the same theatre : "This Play was Splendidly Cloth'd; The King, in the Duke of *York's* Coronation Suit: *Owen Tudor*, in King *Charles's*: Duke of *Burgundy*, in the Lord of *Oxford's*, and the rest all New."⁹

On Saturday 11 January 1668, however, Pepys learnt from his friend Mrs Knepp that "'Catelin," which, she thinks, "for want of the clothes which the King promised them, will not be acted for a good while."¹⁰ As an imminent revival was tantalizingly delayed, amid growing rumours and expectation, Dryden delivered a piece of critical work on *Catiline*, on its predecessor, and on their author's genius as a writer of tragedy:

Ben Jonson himself, in "*Sejanus*" and "*Catiline*" has given us this olio of a play, this unnatural mixture of comedy and tragedy, which to me sounds just as ridiculously as the history of David with the merry humours of Goliath. In "*Sejanus*" you may take notice of the scene betwixt Livia and the physician, which is a pleasant satire upon the artificial helps of beauty: in "*Catiline*" you may see the parliament of women; the little envies of them to one another; and all that passes betwixt Curio [*sic*] and Fulvia: scenes admirable in their kind, but of an ill mingle with the rest.¹¹

Dryden had, evidently, little appreciation for Jonson's decision to present in the action of *Catiline* a mélange of plans of a conspiracy against the body politic and a conversation on the use of make up and adultery. As is the case with the scene between Livia and Eudemus in *Sejanus*, the satiric scene in *Catiline* is intended to

show that the moral decay of certain characters in the play is a representation of the general decay and corruption of the body politic as a whole. Experience, however, was to show later that this very satirical scene in *Catiline* was to be a factor in the popularity of the play during the revivals it enjoyed on the Restoration stage.

In the same year that Dryden's *Essay* appeared, however, and particularly on Friday 18 December, *Catiline* had its first recorded revival by the King's Company at the Theatre Royal, with the King himself attending it, and the actors receiving £10.¹² On the following day, Pepys reports to have seen the play 'at noon':

... my wife and I by hackney to the King's play-house, and there, the pit being full, sat in a box above, and saw "Catiline's Conspiracy", yesterday being the first day.¹³

It can be inferred from Pepys' statement that the performance was at least good box-office, for on the second day of the production it had a full house. But whether that production was well received by the audience there is no clear indication. Pepys, however, himself an admirer of Jonson's text, was disappointed at the production. Having seen the performance, he came to the conclusion that *Catiline* was "a play of much sense and words to read, but that doth appear the worst upon the stage, I mean, the least diverting, that ever I saw any, though most fine in clothes; and a fine scene of the Senate, and of a fight, that ever I saw in my life. But the play is only to be read, and there home, with no pleasure at all, but only in sitting next to Betty Hall, that did belong to this house, and was Sir Philip Howard's mistress, a mighty pretty wench."¹⁴ One can also deduce from Pepys' statement that the production of *Catiline* in December 1668 attracted a great many figures of the nobility. The King's attendance of such performance required, of course, a company of royal entourage, including his mistresses and Maids of Honour; this must have resulted in swelling the theatre with extra spectators. Indeed, Court attendance of public playhouses in the Restoration was regularly expected and needed as a financial source, as it drew to the theatre a considerable number of hangers-on and onlookers.¹⁵

If Pepys, who would, no doubt, be rated a 'Reader extraordinary' in Jonson's term, found *Catiline* "the worst upon the stage," it is hard to suggest that it was received with complete acclaim by the common playgoer. Yet the company at the Theatre Royal, implies Pepys, defied the original text of the play and presented a fight on the stage in an attempt to embellish the production and to render it visually more appealing in order to elicit some approval. Such a measure Jonson himself denounced as the hollow delight of spectacle when he quoted Horace on the title-page of the first Quarto:

---- *His non Plebecula gaudet:*
Verum Equitis quoq, iam migravit ab aure voluptas,
Omnis, ad incertos oculos, & gaudia vana
 (Horace, *Epistles*, II, i, 186-8; quoted in H. & S., V, 419),

which is translated into:

Such writing as this gives no pleasure to the rabble; even with the upper class enjoyment has flitted upon the ear to the restless eye and the hollow delight of spectacle.

(H. & S., IX, 241)

Painted scenery and fine spectacle were major innovations of Restoration theatre. Although they were becoming highly popular, criticism against them was not unusual. It derived from the fact that though they pleased the eye, they also detracted from the language of the play. This conviction may gain substance in Pepys' description of *Catiline* as an "excellent piece" after he had read it, and his remark that it was "the worst upon the stage ... the least diverting" as a performance. Richard Flecknoe expressed a similar view in 1663 when he suggested that "that which makes our Stage the better makes our Playes the worse perhaps, then striving now to make them more for sight then hearing, whence that solid joy of the interior is lost, and that benefit which men formerly receiv'd from Playes, from which they seldom or never went away but far better and wiser then they came."¹⁶

It is reasonable to suggest that the costumes used in these productions were similar to the authentic Roman costume which was known on the Restoration stage. In 1664, Pepys reported that he saw *Heraclius* at Lincoln's Inn Fields: "The

garments like Romans very well. ... But at the beginning at the drawing up of the curtain, there was the finest scene of the Emperor and his people about him, standing in their fixed and different postures in their Roman habitts, above all that ever I yet saw at any of the theatres."¹⁷ Roman garments such as cuirass, buskins, gauntlets, and cloaks were familiar types, but the 'toga' did not appear on the English stage until the early years of the nineteenth century when it was first adopted by Edmund Kean and Charles Young.¹⁸

Another revival of *Catiline* occurred on 2 and again on 13 January 1669. Nicoll records both performances among plays acted between 1600 and 1700, showing that royalty attended both.¹⁹ And about 12 January, *Catiline* was, together with *Sejanus*, among plays allotted to Killigrew "formely acted at the Blackfryers & now allowed of to his Ma.^{tes} Servants at y^e New Theatre."²⁰ These two performances involved a political scandal between factions at Court. On 15 January Pepys reported that Sir William Coventry had told him

of the great factions at Court at this day, even to the sober engaging of great persons, and differences, and making the King cheap and ridiculous. It is about my Lady Harvey's being offended at Doll Common's acting of Sempronia, to imitate her; for which she got my Lord Chamberlain, her Kinsman, to imprison Doll: when my Lady Castlemayne made the King to release her, and to order her to act it again, worse than ever, the other day, where the King himself was: and since it was acted again, and my Lady Harvey provided people to hiss her and fling oranges at her: but it seems the heat is come to a great height, and real troubles at Court about it.²¹

Sir William Coventry, formerly Secretary to the Navy, was in 1669 one of the most influential men around the King. At the same time, he was already becoming the prominent figure in the 'opposition' group of M.P.s which started to gain prominence in the Commons in 1668. One of the major leaders of what was soon to become known as the 'Country Party', Coventry was as much a harsh critic of the widespread corruption at Charles's court as Coventry opposed the King's foreign policy and its implications of disloyalty to Protestantism.²² It is significant, thus, that Coventry voiced some of his critical remarks against the court to such a gossip-monger like Pepys, who in turn recorded what was then known as a major feature of the court of Charles II.

It can be reasonably suggested that the actress Mrs Corey, in her rôle as Sempronia, made an impressive impersonation of Lady Harvey. This was perhaps achieved by an adept use of make-up, a practice which was well-known in the Restoration. This fact is well attested in one of Pepys's observations. On 5th October 1667, the diarist went to the back stage at the Theatre Royal to visit the ladies' changing room with Mrs. Knepp; there he spied, with great astonishment, the actress Nell Gwyn making herself ready for a performance. "But, Lord ! to see how they were both painted would make a man mad, and did make me loath them." Of the actor Ben Johnson, Downes says: "He is skilful in the Art of Painting, which is a great Adjument, very Promovent to the Art of true Elocution, which is always requirable in him, that bears the Name of an Actor."²³ The actors' great ability in imitating their victims almost impeccably is also evident in a statement by Davies: "I have heard confirmed from one who performed with Dogget; and that he could, with great exactness, paint his face as to represent the age of seventy, eighty, and ninety, distinctly; which occasioned Sir Godfrey Kneller to tell him one day, at Button's, that he excelled him in painting; for that he could only copy from the originals before him, but that Dogget could vary them at pleasure, and yet keep a close likeness."²⁴

The portrayal of famous, contemporary figures on stage, which was frequent during this period, required a high standard in the use of costume and make-up to make the resemblance between the character and the person introduced on stage clear enough to recognise. In 1668, for instance, Shadwell's *The Sullen Lovers* was produced at Lincoln's Inn Fields, with discernible personification of famous figures. The actor Henry Harris imitated Sir Robert Howard in the role of Sir Positive Atall; Nokes presented Edward Howard as Ninny; Lord St. John was exposed as Woodcock; and Mrs. Uphill as the whore Lady Vaine.²⁵

Evidence regarding this political scandal is also documented in an undated contemporary letter. It is a correspondence between Lady Sunderland (i.e. Dorothy Sidney) and Martha, Lady Gifford, the sister of Sir William Temple:

Your sister will now bee satisfied her intelligence was true, concerning my Lady Harvie, for I suppose she knows that she has not bine at Court since the King's seeing that she tooke to herself represented affter she had made so publicke a complaint of it and his Ma.^{tie} to encourage her coming again ... but the King being a very civill person, and she having a mind to be sattisfied the busynesses will probablye be don. Tis a dangerous thinge I finde for Ladyes to brage of power in State affaires and I am confident it has caused that to be done that would not have bine to any other gentlewoman. Her brother is extremely concerned in her disgrace wh. has bine nowe a greate while to satisfy those who did not wishe her in favour. I believe nobody is unwilling she should showe herselfe in the Drawing-roome, the Queen has taken no notice of this businesse except very privately.²⁶

Lady Sunderland's letter hints at Lady Harvey's position within the Court factions and at her involvement in state affairs. As it was "a dangerous thinge ... for Ladyes to brage of power in State affaires," in Lady Sunderland's Words, *Catiline* provided an appropriate example with a great potential to satirize women holding places in politics. Undeniably, the character of Sempronia, "the queen - a little *passée* - of an intellectual Bohemia," as Jonson's famous editors call her (H. & S., II, 127), bore noticeable similarity with some female figures at the Court of Charles II.

It is evident both in Pepys' statement and in Lady Sunderland's letter that influential women at the Restoration Court seized any available opportunity to use the theatre to their own aggrandizement, whenever they had the means of doing so. Some ladies of the Restoration Court could, as Pepys shows, become the centre of interest in some theatre productions. It is for the sake of achieving personal gains, perhaps, that ladies of the court showed special interest in the theatre. One prime example is the Duchess of Newcastle. When she visited London in the spring of 1667, Pepys tells us, she was the centre of attention as "almost all" went to see her, and "100 boys and girls" followed her in a majestic show.²⁷ One of the Duchess's actions during her visit was to go to the Duke's Theatre to see her husband's play, *The Humorous Lovers*, and later to show "her respect to the players from her box...and give them thanks", although the play was, according to Pepys, "the most ridiculous thing that ever was wrote".²⁸ It is clear that female figures at the Restoration Court exploited both the stage and the actors in order to enact their own personal and political schemes in a show of superior influence.

Lady Elizabeth Harvey was married to the ambassador Daniel Harvey. It has been reported that when Sanga, a character in Jonson's play, came to utter the line: "But what'll you doe with Sempronia?" (IV. 1. 814; H. & S., V, 524), Lady Castlemaine, wishing on her enemy the fate of her husband, then ambassador to Turkey retorted from her box: "Send her to Constantinople!"²⁹ In such situations, the actors involved, whether or not they sided with one 'faction' or the other, fell victims of opposing royal patronesses. Mrs. Corey was imprisoned at the instigation of Lady Harvey, but was released when the royal mistress made a special bid to the King. Unrepentant, the actress Elizabeth Corey repeated Harvey's imitation on the following day only to have oranges flung at her by men hired by the disgraced Lady Harvey. In 1667, Lady Castlemaine had offered another actress, Nell Gwyn, protection for a short period over undisclosed, but perhaps seditious reasons.³⁰ Lady Castlemaine is also known to have had manipulative relationships with a few handsome actors. Her famous affairs with Wycherley, Hart, Goodman, and the rope-dancer, Jacob Hall made her one of the most exposed targets for satire.³¹

Lady Castlemaine was Barbara Villiers Palmer, wife of Roger Palmer, the Earl of Castlemaine. She was a Roman Catholic of outstanding beauty. Pepys was an admirer of her and was always aware of her presence at the theatre. He was frequently tempted to go into the playhouse, against his will, every time he saw her carriage outside.³² She showed special interest in the theatre both for her personal benefits and, in a few cases, to encourage dramatists. In 1663 Dryden dedicated to her the epistle which prefaces his first play, *The Wild Gallant*. In this epistle, entitled 'Upon her Encouraging his first Play', Dryden shows his gratitude for the great lady for encouraging him in writing the play and in sponsoring its first two performances:

But this long-growing debt to poetry
 You justly, Madam, have discharged to me,
 When your applause and favour did infuse,
 New life to my condemn'd and dying muse.
 These actions others do by chance

Are, like your beauty, your inheritance.
 So great a soul, such sweetness joined in one,
 Could only spring from noble Grandison.
 You, like the stars, not by reflection bright,
 Are born to your own heaven and your own light.³³

No later than 1664, she had left her husband as she had been the royal mistress since 1660. She seems, however, to have been at the centre of the Court for many years, present on many theatrical performances. She received from Wycherley a dedication of his first play, *Love in a Wood* (1671), when she had become the Duchess of Cleveland. Wycherley's dedication ironically implies his personal affair with the Duchess:

though I cannot lie like [other poets] I am as vain as they and cannot but publicly give your Grace my humble Acknowledgements for *the Favours I have received from you*.³⁴

In addition to the clear double meaning of 'favours' in Wycherley's dedication, Wycherley, unlike the convention with 'Dedications' in the Restoration, states that the Duchess's 'favours' included her attendance of his play "twice together" and her sending for a copy of it. The Restoration Court was, however, a haven for dramatists seeking private patronage at this time. What made female figures, like Lady Castlemaine and the Duchess of Newcastle influential at the Restoration Court is obviously the nature of the Court itself: the presence of mistresses who invested their beauty in the most possible rewarding way. Although the Court of Charles I witnessed the influence of women, ranging between the Queen and lesser figures, the Court of the later age lacked the Platonic qualities which the earlier Court had adopted. What substituted these aspects were intrigue, aggression, and mutual distrust. In *The Art of Complaisance*, it is stated that:

the two great subjects which make up the Conversation of the Court, are Love and War. If the thoughts of the more brave and active Spirits, are taken up with Sieges, engagements, and the acquisition of Glory, those of the vain effeminate and impertinent, are no less busied in the Conduct of an Amorous Intreague. If chance or any other respect cast you into the Company of the latter sort, you must be content to hear him relate his conquest of the lady of some decrepit Knight, in terms as Martial, as an old Soldier would the taking of the best fort in Flanders...he attacks her, is repulsed, then charges again, and again forced to retreat; once more, supposing her a Fort, he gives the assault, storms and enters ...³⁵

In no less critical statement, Anthony Hamilton described the Court of Charles II as "the seat and fountain of sports, pleasures, enjoyments, and all the polite and magnificent entertainments, which are generally inspir'd by the inclinations of a tender, amorous, and indulgent Prince".³⁶ Quite harmonious with these remarks is Pepys's comment on the New Year's Day 1663 that "there is almost nothing but bawdry at Court from top to bottom". Love of money and power replaced love of virtue and modesty, and marriage was in decline to give place to licentious affairs. Writing to his sister Henrietta in 1664, King Charles remarked that at Court "the passion of love is very much out of fashion in this country, and a handsome face without money has but few gallants, upon the score of marriage".³⁷

Apparently, the whole affair caused embarrassment to King Charles as he had to succumb to his mistress's plea to repeal the Lord Chamberlain's order of imprisoning the actress Mrs. Corey. However, the incident was obviously serious enough to create a political scandal at Court, as is obvious according to Pepys's and Lady Sunderland's accounts of the situation at Court in the wake of the revival concerned. What made this specific scene also significant in the 1669 production of *Catiline* is its use of satire against women interfering in political affairs, an issue which apparently found parallel in the contemporary court of King Charles. In the reign of Charles II satire, critics have shown, was more prevalent than in earlier ages. In his concise book, *Politics in the Reign of Charles II*, K. Haley draws a picture of the strong tendency of satire in the society during the Restoration:

Laughter was as much to the taste of the public as invective; there was a growing number of educated readers, with an ineffective censorship that gave extra spice to the poems of those who evaded it, and who had in the heroic couplet a sharp-edged tool. Politicians as erratic as Buckingham (himself a satirist) or with a record of apparent inconsistencies as Shaftesbury were obvious subjects for attack, as well as many lesser figures in a political scene that was relatively circumscribed.³⁸

Famous persons being satirized were consequently angered, and later sought revenge on those actors who criticized them on stage as in the case of Lady Harvey. Kynaston himself, one of the cast in the 1669 production of *Catiline*, for instance, is reported to have been beaten for a role he acted in *The Heiress* "in abuse of Sedley"

on Saturday, 30 January 1668/9.³⁹ Another example is also reported in Pepys' diary. On Thursday, March 4 of the same year, the diarist heard that the Duke of Buckingham and Sir Robert Howard were preparing for production a play called *The Country Gentleman* in which they intended to abuse their common enemy, the influential Sir William Coventry, who declared he would slit the nose of any actor who offended him.⁴⁰ In the later years of the reign of Charles II this practice continued, and on November 4, 1675, the Lord Chamberlain issued an order declaring that Haines should be suspended because he had "with ill & scandalous language & insolent carriage abused Sir Edmund Windham. " Mrs Slade was also suspended on a similar offence on November 25 of the same year.⁴¹

Soon after the revivals of 1669 *Catiline* appeared in a new Quarto in February of the same year. The new edition, following the precedent of the 1611 folio, gave a list of 'The Principal Tragoedians.' The cast was as follows : Hart played the leading role, Burt played Cicero, and Mohun played Cethegus. Minor roles were given to Beeston, Kynaston, Reeves, Winterson, Cartwright, Gradwell and Bell; their roles were all unassigned. Mrs Corey, who certainly played Sempronia, was not mentioned in the cast. In this 1669 revival at the Theatre Royal, the production was introduced and concluded by the actress Nell Gwynn. The Prologue and the Epilogue spoken by her are quoted in the 1669 edition of the play:

A
PROLOGUE
To Catiline,
To be Merrily spoke by Mrs. Nell.⁴²

A Woman's Prologue! This is vent'rous News;
But we, a *Poet* wanting, Crav'd a *Muse*.
Why should our Brains lye fallow, as if they
Without His fire, were meer *Prometehan* [sic] Clay ?
In Natur's Plain-Song we may bear our parts;
Although We want choise Descant from the Arts,
Amongst *Musicians*; so the *Philomel*
May in Wild-Notes, though not in Rules excell.
And when i' th weaker Vessel Wit doth lye;
Though into Froth it will work out, and flye.
But Gentlemen, You know our formal way,
Although we're sure 'tis false, yet we must say,

Nay Pish, Nay Fye, in troth it is not good,
 When we the while, think it is not understood :
 Hither repair all you that are for *Ben* ;
 Let th' House hold full, we're sure to carry't then.
 Slight not this Femal Summons ; *Phoebus-rayes* ,
 To Crown his *Poets*, turn'd our sex to *Bayes*.
 And Ladies sure you'l vote for us entire,
 (This Plot doth prompt the Prologue to conspire)
 Such inoffensive Combination can
 But show, who best deserve true worth in Man.
 And You, with Your great Author taking Part;
 May chance be thought, like him to know the Art,
 Vouchsafe then, as you look, to speak us fair,
 Let the Gallants dislike it, if they dare :
 They will so forfeit the repute of Judges,
 You may turn *Am'zons*, and make them Drudges,
 Man's claim to Rule is, in his Reason bred ;
 This Masculine Sex of Brain may make you Head.
 'Tis real Skill, in the Right place to praise;
 But more, to have the Wit, not to Write Playes.

THE Epilogue.

By the Same.

No *Dance*, no *Song*, no *Farce*? His lofty Pen,
 How e're we like it, doubtless Wrote to Men.
 Height may be his, as it was *Babel's* fall;
 There *Bricklayers* turn'd to Linguists, ruin'd all.
 I'de ne're spoke this, had I not heard by many,
 He lik't one silent Woman, above any:
 And against us had such strange prejudice;
 For our Applause, he scorn'd to write amiss,
 For all this, he did us, like Wonders, prize;
 Not for our Sex, but when he found us Wise.
 A *Poet* runs the Gantlet, and his slips,
 Are bare expos'd to regiments of Whips;
 Among those, he to *Poetick* Champions Writ;
 As We to gain the Infancy of Wit.
 Which if they prove the greatest Number, then
 The House hath cause to thank *Nell*, more than *Ben*.
 Our *Author* might prefer your praise, perhaps,
 Wee'd rather have your Money, than your Claps.
(H. & S., *Ben Jonson*, IX, 242-43)

It was a newly-established tradition in the Restoration theatre to usher plays on the stage with a prologue or an epilogue or both, presented by actresses, in order to alleviate the gloominess of some tragedies and to create an entertaining atmosphere in the playhouse. It is interesting to note here that Nell Gwyn, who had no role in the play, had only recently become the royal mistress. Her appearance in

a jocular Prologue, "in an *Amazonian Habit*" -a costume comprising of a crested helmet, a belted tunic showing her bare knees, buskins, and, most importantly, a bow and quiver full of arrows put over one shoulder - is clearly suggestive of a special welcome to the King. Equally suggestive is the company's probable intention of thanking Charles for his monetary help for the actors, asking tacitly for more:

Our *Author* might prefer your praise perhaps,
Wee'd rather have your Money, than your Claps.

Of the actors in the 1669 revival, "Major" Mohun and Charles Hart were the chief actors at the Theatre Royal and were considered "the *Rocius* and *Aesopus*" of their own time, according to Rymer.⁴³ They were both famous actors before 1649 and resumed their theatrical careers after the opening of the theatres in 1660. Of the two, Mohun seems to have been the more renowned. His later historical parts included the leading role in Lee's *Mithridates* (Drury Lane, 1678) as well as Augustus Caesar and Hannibal in the same author's *Gloriana* (Drury Lane, 1676) and *Sophonisba* (Drury Lane, 1675). Hart, only slightly less in fame than Mohun, was described by Davies as having "shone in the gay gentleman, such as *Dorimant* and *Loveless*."⁴⁴ He played Caesario in *Gloriana* and Massinisa in *Sophonisba*. His best roles, according to Downes, were Mosca in *Volpone*, Don John in *The Chances* and Wildblood in Dryden's *The Mock Astrologer*. In some of the verses in Flecknoe's *Euterpe Revived* (1675), he was compared with Richard Burbage:-- "Such--Burbage was once, And such Charles Hart is now."⁴⁵ It is worth noting, however, that Mohun did not play the leading role of Catiline, which was played by Hart, but was assigned the part of Cethegus, with fewer lines of far less significance.

Edward Kynaston was also one of the company's principal tragedians. In the early years at the Theatre Royal he appeared in girl-roles. He is known to have played the Duke's sister in *The Royal Subject* so well that Pepys described him as "the loveliest lady that ever I saw any in my life."⁴⁶ He later established himself as a leading actor in the company as he played major roles, such as Morat in Dryden's

Aureng Zebe (Drury Lane, 1675) and Muley Moloch in *Don Sebastian* (Drury Lane, 1689). His later parts included Lord Touchwood in *Love in a Wood* (Theatre Royal in Bridges Street, 1671) and Freeman in *The Plain Dealer* (Drury Lane, 1676). Nicholas Burt, another name in the cast of the 1669 production, is thought to have joined the company by June 1660 together with William Cartwright, Charles Hart and others.⁴⁷ An extant document, dated December 20, 1661, mentions him with others, including Killigrew, Hart, Mohun and Cartwright, as the lessees of the Theatre Royal.⁴⁸ He played the part of Cicero in the 1669 production of *Catiline*, and seems to have declaimed the orator's speeches well, proving that he had "Stentorian lungs," - a requirement, as Davies observed, an actor of Cicero should acquire.⁴⁹

Of the actors who played minor, unassigned roles in this production, a little is known. George Beeston, an obscure actor, seems to have joined the Theatre Royal about 1664 or 1666, after the break-up of his own company.⁵⁰ Reeves and Richard Bell "were Bred up from Boys under the Master Actors."⁵¹ Bell lost his life in the conflagration that destroyed the Theatre Royal on 25 January 1672.⁵² William Cartwright, another lessee of the Theatre Royal, must have joined it by June 1660. Thomas Gradwell joined the Theatre about 4 November 1662.⁵³ Of the acting career of the last two, very little is known. Mrs. Corey was one of a few actresses of the King's players known to have played with Killigrew at Vere-street from November 1660.⁵⁴ Later in the century, *Catiline* continued to be cited as a major literary work of the century.

Catiline, by virtue of its virulent language, its rhetorical speeches, and the rhyming couplet of Sylla's speech and of the choral comments that conclude each of the first four acts, was to have a considerable influence on the serious drama of the first two decades following the Restoration. Moreover, as it rebels against the Aristotelian and Shakespearean principle of *Catharsis*, *Catiline* belongs to the group of plays which generate wonder and admiration, hence its link with the heroic tragedy of the 1660s. The character of Catiline is, moreover, akin to that of many a

hero/villain in Restoration plays among whom Pordag's Herod, Dryden's Maximin and Morat are prime examples. Like many Restoration plays such as Dryden's *Conquest of Granada* (1670), with its elaborate description of a bull fight at the start of Act one, and *The Indian Emperor* (1665), which includes a long debate on natural religion, *Catiline* could obviously cater for the taste of the Restoration playgoer. Cicero's long speeches, untolerated, as we know, by the Jacobean audience, were perhaps received with acclaim and relish in the Theatre Royal.

On the political level, Jonson's *Catiline* was a play suitable to represent contemporary issues of the age. The play embodies, of course, the restoration by Cicero of peace and order which Catiline and his fellow-conspirators sought to destroy. The Restoration of peace and integrity by King Charles II after the civil wars of the 1640s and 1650s and the re-establishment of the legitimate authority after an interim of political turmoil and civil strife are themes clearly stated in *Catiline*. Such themes of the play, no doubt, contributed to its choice by the King's men at the Theatre Royal for revival in 1668/9. Throughout the first three decades following the Restoration of King Charles, the prevalent feeling was the fear of the return to the painful years of the Interregnum, with all the confusion and terror that had accompanied the civil wars. It can be strongly suggested, therefore, that the Restoration playgoer did not fail to see in Jonson's presentation of Sylla's ghost and his speech which flashes back the Roman civil war between Marius and Sylla at the beginning of *Catiline* a clear reminder of the horror of the previous civil war that broke out between the Parliamentarians and the Royalists in 1642.

To sum up, *Catiline* elicited in the Restoration a considerable degree of popularity which it aspired but failed to achieve in 1611. Certain technical aspects of the heroic play and political factors in Restoration England, combined to give rise to a few scattered performances in the later decades of the seventeenth century. Jonson's play also catered for the Restoration popular taste of social and political satire which could reflect on the main current affairs of the age. Some actors, it has

been shown, exploited scenes of satirical implication, as in the case of the 'boudoir' scene in Act two of *Catiline*, to criticize the interference of women in the political affairs in the Court of Charles II.

NOTES

1. Quoted from G. E. Bentley, *Shakespeare and Jonson: Their Reputations in the Seventeenth Century Compared*, 2 volumes (Chicago, 1954), I, pp. 111-12.
2. *Catiline* was mentioned over 80 times within this period, whereas *Julius Caesar* won only 13 allusions. See Bentley, *Shakespeare and Jonson*, II, p. 108.
6. Gerard Langbaine, *An Account of the English Dramatic Poets, 1691* (1968), p. 288.
4. 'To the Readers', in H. & S., *Ben Jonson*, IV, 350.
5. John Downes, *Roscius Anglicanus*, edited by Judith Milhaus and Robert Hume (London, 1987), p. 25. This is the only documentary reference to the performance of *Sejanus* in the Restoration. Herford and Simpson suggest that it was probably acted after the revival of *Catiline*, although there is no record of such performance (H. & S., *Ben Jonson*, IX, p. 191). Before the Restoration, *Sejanus* was included in a list of "Books to be sold in Little Britain" by Sir John Birkenhead in his *Bibliotheca Parliamenti*, 1652; a note added: "An old Tragedy to be newly acted by the company at the Cock-pit" (H. E. Rollins, 'The Commonwealth Drama: Miscellaneous Notes', *SP*, XX, 1923, 57).
6. *The Diary of Samuel Pepys*, edited by H. B. Wheatley (London, 1929), IV, p. 309.
7. *Ibid.*, VII, p. 230.
8. *Ibid.*, p. 235.
9. Quoted by Montague Summers, *The Restoration Theatre* (New York, 1964), p. 259.
10. *Ibid.*, p. 277.
11. John Dryden, 'An Essay of Dramatick Poesy', in *Works*, edited with an introduction by W. H. Hudson (London, 1954), XVII, p. 38. Herford and Simpson quote Dryden's passage and give their own opinion on it (*Ben Jonson*, II, 126-27).
12. Allardyce Nicoll, *A History of Restoration Drama 1600-1700* (Cambridge, 1940), p. 306.
13. Pepys, *Diary*, VIII, p. 182. The same production of the play is also reported by John Evelyn: "I went to see y^e old play of "Cataline" acted, having ben forgotten almost 40 years." (William Bray and H. B. Wheatley, ed., *Diary of John Evelyn* (Oxford, 1983), II, p. 233.
14. *Ibid.*, p. 183.
15. For a fuller discussion on this subject, see Allan Richard Botica, 'Audience, Playhouse and Play in Restoration Theatre, 1660-1710', D.Phil. Thesis (Oxford, 1985).
16. J. E. Spingarn, *Critical Essays of the Seventeenth Century*, 3 vols. (Oxford, 1908-1909), II, P. 95; quoted in Gunnar Sorelius, *The Giant Race Before The Flood*, p. 15.
17. Quoted by Summers, *The Restoration Theatre*, p. 279.
18. See *ibid.*
19. See Nicoll, *ibid.*, pp. 306; 307. There is disagreement between Nicoll and Pepys on the date of the second revival. Pepys' statement on 13 January 1669 reads: "to the King's Playhouse, and there saw, I think, 'The Maiden Queene'". It is very likely, thus, that Pepys made a wrong entry on that date.
20. *Ibid.*, p. 315.
21. Pepys, *Diary*, VIII, pp. 199-200. Dol Common was Mrs. Corey.
22. See Kenyon, *Stuart England*, p. 202, and Coward, *The Stuart Age*, p. 269.
23. Both statement are quoted in Montague Summers, *The Restoration Theatre*, pp. 288-9.
24. *Ibid.* Summers quotes this statement from Davies's *Dramatic Miscellanis*, 1784, iii, p. 448. Davies quotes it himself from *A General View of the Stage*, 1759.
25. See Summers, *The Restoration Theatre*, p. 288.
26. J.G. Longe, *Martha Lady Gifford, Her Life and Correspondence*, pp. 98-99. Quoted by Robert Gale Noyes, *Ben Jonson on the English Stage* (London, 1935), p. 307.
27. Pepys, *Diary*, 1 May 1667, 10 May 1667, 11 April 1667 and 26 April 1667; Evelyn, *Diary*, 18 April 1667 and 27 April 1667.
28. Pepys, *Diary*, 11 April 1667.
29. For the enmity between Lady Castlemaine and Lady Harvey, and for the latter's ambition at Court, see Elizabeth Hamilton, *The Illustrious Lady* (London, 1980), pp. 124-30. See also John Harold Wilson, *Nell Gwyn, Royal Mistress* (London, 1952), p. 76.
30. See Pepys, *Diary*, 26 August 1667.

31. For Lady Castlemaine's liaison with Wycherley, see John Dennis, *The Critical Works of John Dennis*, edited by Giles N. Hooker, 2 vols. (Baltimore, 1939). For her affair with Charles Hart, see Pepys, *Diary*, 7 April 1668. For Cardell Goodman, see Thomas Davies, *Dramatic Miscellanies*, 3 vols. (London, 1759), iii. 264. For Jacob Hall, see Eleanor Boswell, *The Restoration Court Stage* (Cambridge, Mass., 1932). Andrew Marvell abused Lady Castlemaine in his satire *The Last Instructions to a Painter* (1667), in *Poems on Affairs of State: Augustan Satirical Verses, 1660-1714*, edited by George de F. Lord, (New Haven and London, 1963), vol. I: 1660-1714, pp. 99-139, especially pp. 119, 137.
32. On Pepys's pleasures of watching Lady Castlemaine at the theatre, see *Diary*, 20 April 1661; 23 July 1661; 23 August 1661; 27 August 1661; 7 September 1661; 23 February 1663; 1 February 1664; 3 April 1665; 5 May 1668 and 21 December 1668.
33. John Dryden, *Works*, vol. I, pp. 45-46.
34. Quoted in David Roberts, *The Ladies: Female Patronage of Restoration Drama 1660-1700* (Oxford, 1989), p. 99; emphasis added.
35. S. C., *The Art of Complaisance* (London, 1673), p. 63; quoted by Roberts *op. cit.*, pp. 100-1.
36. A. Hamilton, *Memoirs of the Life of the Count de Grammont*, translated by Abel Boyer (London, 1714); quoted in Roberts, *op. cit.*, p. 101.
37. Quoted in Roberts, *op. cit.*, p. 104.
38. K. H. D. Haley, *Politics in the Reign of Charles II* (Oxford, 1985), p. 3.
39. See Pepys's entry for 1 February, 1668/9.
40. See also the entry for 6 March.
41. See Nicoll, *op. cit.*, p. 81.
42. The 1674 Quarto adds "in an Amazonian Habit."
43. Thomas Rymer, *Tragedies of the Last Age* (1678); quoted in Nicoll, *op. cit.*, p. 67.
44. *Dramatic Miscellanies* (1784), iii, p. 279. Davies also gives praise to Hart's credit, p. 16. See also Nicoll, *op. cit.*, p. 67.
45. *Euterpe Reviv'd*, p. 78; quoted in Nicoll, *op. cit.*
46. Pepys, *Diary*, 18 August, 1660.
47. See Nicoll, *op. cit.*, p. 269.
48. *Ibid.*, p. 281.
49. *Dramatic Miscellanies*, II, p. 90. Quoted in Robert G. Noyes, *Ben Jonson on the English Stage* (London, 1935), p. 305.
50. See Nicoll, *op. cit.*, p. 279.
51. Quoted by Noyes, *op. cit.*, p. 306.
52. Nicoll, *op. cit.*, p. 286, n.
53. Nicoll, *ibid.*, p. 283.
54. See Nicoll, *ibid.*, p. 281.

CONCLUSION

Jonson's two surviving tragedies display most vividly a major impact of the Renaissance on the intellectual milieu of seventeenth-century England. Such fascination is conspicuously demonstrated in the impressive number of English translations of classical authors in the fairly short span of two decades. For instance, translations of Tacitus appeared in 1591 and 1598; the work of Livy was translated in 1600; Philemon Holland published a translated text of Machiavelli's *Discourses on Livy* in the same year; Thomas North made available an extended translation of Plutarch in 1603; a translation of Suetonius was published in 1606; and Thomas Heywood translated Sallust in 1608.

For Jonson, as for many of his contemporary intellectuals, Roman history was not simply an autonomous subject for academic study. The past was valued primarily for the knowledge and practical experiences that could be drawn from it and which could guide men in both private and public life. Moreover, in accordance with the influence of Italian writers such as Machiavelli and Guicciardini, Roman history acquired a prognostic interpretation as lessons from the past were exploited for the light they cast on political issues of the present and their implications for the future. Therefore, Jonson's fascination with classical historians emanated primarily from their interest in political material. In 1619 Jonson told his host William Drummond that "Tacitus wrott secrets of the Councill and Senate, as Suetonius did those of the Cabinet and the Courte" (H. & S., I, 135). When Savile translated Tacitus, Jonson wrote a prefatory poem in which he praised Savile for making available for his contemporaries the valuable lessons drawn from Tacitus. "We need a man," he wrote, who

... can speake of the intents,
The councells, actions, orders and events

Of state, and censure them: we need his pen
 Can write the things, the causes, and the men.
 But most we need his faith (and all have you)
 That dares not write things false, nor hide things true.
 ("To Sir Henry Savile," ll. 31-6, in *The Complete Poetry of Ben Jonson*, ed.
 William B. Hunter, Jr. (New York, 1963), p. 43)

The general interest in Jonson's two Roman tragedies in the later years of the seventeenth century, together with the theatrical revivals enjoyed by *Catiline* in 1635 and in the late 1660's, are testimony to the intrinsic literary qualities of both plays. The universality of the themes that the two plays depict - the danger of despotic rule and rampant ambition, the perils of vice and social decay, and the advantages of virtue and good conduct - make *Sejanus* and *Catiline* as relevant to the present time as Jonson believed they were to his own society. Both plays deserve more critical attention for what they can reveal about the social, political and intellectual milieus of early Jacobean and Restoration England. Jonson's two tragedies also merit revival on the modern stage. It would be regrettable to condemn them too hastily, as their original audiences did, and thus risk sharing what we can see as their original failure of judgement.

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In this thesis, I have followed the guidelines on thesis presentation as laid in the *MHRA STYLE BOOK*, edited by A. S. Maney and R. L. Smallwood, third edition (London: Modern Humanities Research Association (London, 1981)

'Comparing Men and Times'

**The Classical Sources and the Political Significance
of Ben Jonson's *Sejanus* and *Catiline* in
Early Jacobean and Restoration England**

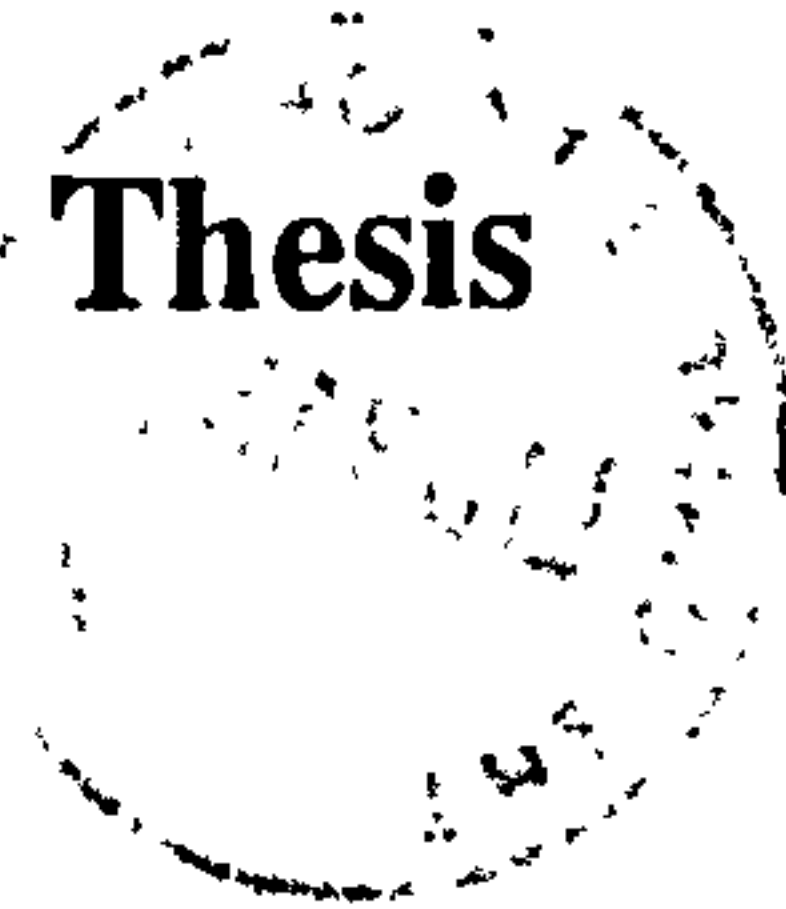
(Two Volumes)

VOLUME TWO

**GLOSSARIES AND APPENDICES:
THE CLASSICAL AND CONTEMPORARY
SOURCES
OF JONSON'S *SEJANUS* AND *CATILINE*
AND THE STATE TRIALS OF SIR WALTER
RALEGH AND SIR HENRY VANE**

Muhammed W. Alyo

Ph.D. Thesis



University of Warwick

The Graduate School of Renaissance Studies

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GLOSSARIAL INDICES

GLOSSARY A

Classical Names and Technical Terms in Jonson's *Sejanus*

Esmé, Lord Aubigny: Esmé Stuart (1579-1624), one of Jonson's noble patrons, seventh Seigneur d'Aubigné and third Duke of Lennox. Jonson lived with him during the composition of *Sejanus*. In *Epigram CXXVII*, Jonson pays tribute to Lord Aubigny for his hospitality during the dramatist's refuge in his house (see *Conv.Drum.*, ll. 254-55).

'The Argument'

1. *Seius Strabo*: Lucius Seius Strabo. A Roman knight, he was also the joint commander of the guard under Augustus in A.D. 14 (Grant, p. 35) with his son Lucius Aelius Sejanus (Grant, p. 47).

2. *Vulsinium*: Volsinii (now Bolsena), between Rome and Siena (Ayres, ed. *Sej.*, p. 70).

The Names of the Actors

2. **Tiberius**: (42 B.C.-A.D.37), as emperor, he succeeded Augustus in A.D. 14 and reigned until A.D. 37. He was the adopted son of emperor Augustus. His mother was Livia, and his marriage to Vipsania produced their son Drusus senior. He later adopted Germanicus.

3. **Sejanus**: Lucius Aelius Saianus, son of L. Seius Strabo. He was born at Vulsinii, and later became consul in A.D. 31. Under the reign of Tiberius he became so influential that he was a threat to the emperor himself who raised him to power. He was condemned by Tiberius and killed by furious crowds on 18 October, A.D. 31.

4. **Drusus [Senior]**: Drusus Caesar, son of Tiberius and Vipsania. He became consul in the years A.D. 15 and 21. He married his cousin Livilla (Livia, as she is called in Jonson's play), who was married to Gaius Caesar before him. He was a bitter enemy of Sejanus, who, with the help of Livia, had him poisoned in A.D. 23.

5. **Nero**: Nero Caesar, eldest son of Germanicus and Agrippina. He was second in line to the imperial throne after Drusus senior (the reason being that he was the son of the dead Germanicus, who was the son of Tiberius's brother Nero Drusus). As a result of Sejanus's plots against Germanicus's wife and children, Nero was banished to the island of Pontia, where he starved to death in A.D. 31.

6. **Drusus [Junior]**: Second son of Germanicus and Agrippina. Sejanus, in his plots against Agrippina and her sons, had him imprisoned in the Palatine dungeons. He was starved and reduced to gnawing the stuff of his mattress before his death in A.D. 33.

7. **Caligula**: Gaius (Caligula), third and youngest son of Germanicus and Agrippina. He was born in a camp and brought up with the regular troops and was then nicknamed 'Caligula' because in his childhood he wore soldiers' boots (*Caliga*= little boots). He succeeded Tiberius as emperor in A.D. 37 and reigned till A.D. 41. He married Junia Claudia, a daughter of Marcus Junius Silanus (I). Macro maintained his favour, and, after the death of Caligula's wife, induced his own wife Ennia to pretend love to the prince. Tacitus draws an unfavourable picture of Caligula and presents him as a replica

of the dissolute Tiberius in his ability to show ruthlessness and dissimulation. Jonson, however, does not follow Tacitus in his portrayal of Caligula in the play.

8. Arruntius: Lucius Arruntius, a wealthy, active and talented aristocrat. He was consul in A.D. 6, and his connections, as Tacitus reports, were Sullan and Pompeian. In the *Annals*, he is portrayed as a highly respectable person, and Tacitus reports how Augustus commented that he would be a good emperor if he had the chance of becoming one. In Jonson's play, he is generally thought of as the dramatist's mouthpiece and a member of the chorus-like group of Germanicus's partisans as they comment on the action. He committed suicide in A.D. 37, believing that Caligula would make even a worse emperor than Tiberius.

9. Silius: Caius Silius Caecina Largus (consul A.D. 13). A renowned army general under Germanicus, he commanded the army of Upper Germany (A.D. 14), won an honorary triumph in Germany and successfully conquered Sacrovir. Sejanus hated him and accused him of excessive boasting over the loyalty of his troops to Tiberius at the time when the army of Lower Germany mutinied against the emperor. To the justified charge of extortion (together with his wife Socia) was added the unjust charge of treason. He committed suicide in A.D. 37.

10. Sabinus: Titius Sabinus, "a distinguished knight" (*Annals*, trans. Grant, p. 190), a good friend of Germanicus and, later, a close friend of his wife and sons. According to a plot by Sejanus, he was spied upon by four ex-praetors (Latialis, Cato, Rufus, and Opsius), eager to become consuls; Sabinus was trapped into expressing his criticism of Tiberius. He was executed in A.D. 28 for an alleged treason.

11. Lepidus: Aemilius Marcus Lepidus (IV) - consul A.D. 6. Augustus, in one of his conversations, commented that Lepidus would be suitable but disdainful as an emperor if such an opportunity arose to him (see Grant, p. 40). Lepidus maintained favourable connection with Tiberius, who, after the wealthy Aemilia Musa died intestate, transferred her property to Lepidus, who had connections with her house (see Grant, p. 101). Lepidus is described by Tacitus as "wise" and "noble" with a great "sense of proportion" (Grant, p. 167). His moderation palliated the "brutalities" of Tiberius and his sycophants. In A.D. 26, he was governor of Asia (see Grant, p. 186).

12. Cordus: Aulus Cremutius Cordus, a historian; he was prosecuted in A.D. 25 over the charge of praising Brutus in his *History* and for describing Cassius as "the last of the Romans" (see Grant, p. 173). His accusers were Satrius Secundus and Pinarius Natta. Cordus defended himself passionately against the charge of topicality in his work. He was condemned and starved to death in A.D. 25.

13. Gallus: Gaius Asinius Gallus, first husband of Vipsania, later wife of Tiberius. In most meetings of the senate, Tacitus reports, he maintained an independent voice. It was he who proposed the banishment of Socia Galla, wife of Silius, and the confiscation of half of her property (*Annals*, Grant, p. 167). Gallus was arrested in A.D. 30 and died of starvation in A.D. 33.

14. Regulus: Publius Memmius Regulus, consul A.D. 32. In the same year he was accused by Lucius Fulcinius Trio, a consul, of slackness in suppressing Sejanus's partisans (*Annals*, Grant, p. 200), a charge which he denied. He was married to Lollia Paulina, a hated rival of Agrippina (see *Annals*, Grant, p. 261). He receives great commendation from Tacitus, who ascribes to him "dignity and good name" (*Annals*, Grant, p. 334). He died in A.D. 62.

15. Terentius: Marcus Terentius, a knight, he was a friend of Sejanus. He admitted his friendship of Sejanus at a time when most of the latter's friends disclaimed it when his influence was waning (see *Annals*, Grant, p. 203).

16. **Laco:** Graecinus Laco, commander of the night-watch in A.D. 31. He supported Macro in the overthrow of Sejanus.

17. **Eudemus:** A physician and friend of Livia. Incited by Sejanus, he plotted with Livia and Lygdus to poison Cordus senior. Later, Sejanus's widow divulged his role in the murder of Cordus, and he was tortured and executed in A.D. 23.

18. **Rufus:** Quintus Petilius Cerialis Caesius Rufus, commander of the ninth Roman division (see *Annals*, Grant, p. 329). He was one of the accomplices who betrayed Titius Sabinus in A.D. 28.

19. **Latiaris:** Lucanius Latiaris, an ex-praetor who, with the help of three ex-praetors, planned the fall of Titius Sabinus in A.D. 28. A follower of Sejanus, he also fell with his master in A.D. 31.

20. **Varro:** Lucius Visellius Varro, consul in A.D. 24. Sejanus used him to accuse Silius, exploiting the feud that had existed between Varro's father and Silius (see *Annals*, Grant, p. 166).

21. **Macro:** Quintus Naevius Sertorius Macro, the Guard commander in A.D. 33. He was the instrument which Tiberius used to bring about the fall of Sejanus in A.D. 31. Jonson, departing from historical facts in Tacitus's *Annals*, makes him reproach Sejanus in Act Five, thus raising possible parallels between Raleigh/Sejanus and Cecil-Northampton/Macro - parallels which probably caused discontent in James's court in 1603/4. Macro maintained good connections with the future Emperor Caligula, who later appointed him governor of Egypt. Tacitus reports how Macro was responsible for giving orders to smother the ailing Tiberius "with a heap of bed-clothes" in A.D. 37 (see *Annals*, Grant, p. 226). In A.D. 38, he was forced by Emperor Caligula to take his own life.

22. **Cotta:** Aurelius Cotta, consul in A.D. 20. He figures briefly in Tacitus, but is presented as savage and unscrupulous.

23. **Afer:** Cnaeus Domitius Afer, praetor in A.D. 25 and an additional consul in A.D. 39. A ruthless seeker of advancement, he was the prosecutor of Claudia Pulchra, Agrippina's cousin, in A.D. 26 (see *Annals*, Grant, p. 183), and later accused Pulchra's son Quinctilius Varus in A.D. 27. Tacitus reports how Afer gathered money after long poverty then misspent it. Afer was a famous orator "with distinguished records ... as advocate" (*Annals*, Grant, p. 322). Afer died in A.D. 59. (In Tacitus, he is not involved in the trial of Silius, but the historian's account of him as an illustrious orator and ruthless character apparently attracted Jonson to employ him as the chief prosecutor of Cordus in the trial scene in Act three.

24. **Haterius:** Quintus Haterius, an additional consul in 5 B.C. He was much hated by Tiberius, as reported in the *Annals* (see Grant, p. 41), and was a stern denouncer of extravagance (*Annals*, Grant, p. 92). Tacitus commends his oratory, though he emphasizes that his talents in oratory lay more in the style than in the substance (*Annals*, Grant, p. 188). In the play, Jonson conflates this personality with his son Haterius Agrippa. Haterius died in A.D. 26.

25. **Sanquinius:** In the *Annals*, Tacitus mentions him in reference to an earlier passage than that concerned with Sejanus's career, and figures only briefly.

26. **Pomponius:** Another name which receives brief mention in the *Annals*. Tacitus links him with Satrius Secundus as two followers of Sejanus.

27. **Postumus:** Julius Postumus. He had an adulterous liaison with Mutilia Prisca and was a close friend of the Augusta. He was employed by Sejanus as an informer (see *Annals*, Grant, p. 163).

28. **Trio:** Lucius Fulcinius Trio. A prominent prosecutor, well-known for his notoriety (*Annals*, Grant, p. 90). He is described by Tacitus as a quarrelsome lawyer (Grant, p. 200). He backed Sejanus in the last days before the favourite's fall. Trio committed suicide in A.D. 35 in order to avoid imminent prosecution (*Annals*, Grant, p. 220).

29. **Minutius:** Minucius Themus (I), a knight and friend of Sejanus. He was denounced by Tiberius as a leading criminal (*Annals*, Grant, p. 203).

30. **Satrius:** Satrius Secundus, one of the prosecutors of Cremutius Cordus and a dependant of Sejanus. He denounced Sejanus for planning to murder Tiberius and Gaius (Caligula) and to seize the throne (*Annals*, Grant, p. 22). He took part, with Pinnarius Natta, in accusing Cordus.

31. **Natta:** Pinnarius Natta, one of Sejanus's informers. He, too, was Cordus's accuser.

32. **Opsius:** Marcus Opsius, who, together with Latiaris, Cato, and Rufus, accused Titus Sabinus in A.D. 28.

33. **Agrippina:** Wife of Germanicus, daughter of Julia III and Marcus Agrippa, and granddaughter of Augustus. A woman of masculine traits, she was the centre of opposition to Tiberius's and Sejanus's policies. All of Sejanus's opponents looked to her and her children as a source of hope in confronting the evil and corruption of imperial Rome under Tiberius. Both hated and feared by Tiberius and Sejanus, she was exiled to the island of Pandateria in A.D. 30, where she starved herself and died in A.D. 33.

34. **Livia:** Livilla, daughter of Nero Drusus, wife of Drusus Senior and former wife of Gaius Caesar, and sister of Germanicus. (The last historical fact is ignored by Jonson in this play, as the dramatist attempts to dissociate the house of Germanicus from any blemishes of evil and fickleness). With the instigation of Sejanus, with whom she had an affair, and with the help of her physician Eudemus, she plotted to poison her husband Drusus. She was condemned to death after the fall of Sejanus.

35. **Socia:** Socia Galla, wife of Caius Silius, she owned her fall in A.D. 37 to her close friendship with Agrippina. She was accused, together with her husband, of extortion and treason. She was banished out of Rome and had part of her property confiscated (see *Annals*, Grant, p. 167).

36. **Augusta** (I. 291): Livia, mother of Tiberius and widow of Augustus. The term 'Augusta' also meant the chief female in a household.

37. **Urgulania** (I. 291): A favourite of the Augusta and an influential figure in Rome.

38. **Mutilia Prisca** (I. 292): Intimate of the Augusta, and mistress of Julius Postumus.

39. **Palancina** (I. 292): Wife of Gnaeus Calpurnius Piso.

40. **Asinius Gallus** (II. 220): First husband of Vipsania, wife of Tiberius. Once he gave an offence to Tiberius in the senate (see *Annals*, I. xii and II. xxxvi). He was imprisoned in A.D. 30 and died of starvation in A.D. 33.

41. **Furnius** (II. 220): He was condemned in A.D. 26 for committing adultery with Agrippina's cousin Claudia Pulchra (see *Annals*, Grant, p. 183).

42. **Sacrovir** (III. 157): Julius Sacrovir, who led a powerful revolt of the Aedui in A.D. 21 and was defeated by Silius.
43. **Cotta** (III. 215): Marcus Aurelius Cotta Maximus Messalinus, an extravagant consul.
44. **Titius Livius** (III. 414): A Roman historian (Livy, 59 B.C.-A.D. 17).
45. **Scipio** (III. 419): Quintus Caecilius Metellus Pius Scipio, he was Pompey's father-in-law. He was consul in 52 B.C. He fought in Pharsalia and was defeated by Caesar at Thapsus (see *Annals*, Grant, p. 174).
46. **Afranius** (III. 419): Lucius Afranius, consul in 60 B.C. One of Pompey's leading generals, he led Pompey's forces in Spain and was defeated there by Caesar.
47. **Asinius Pollio's writings** (III. 423): The 'writings' refer to a history of seventeen books on the Roman Civil Wars, not extant, as Jonson's note mentions. Caius Asinius Pollio, consul in 40 B.C., became a friend of Augustus after Actium, and was the founder of the first library in Rome.
48. **Mesela** (III. 24): Marcus Valerius Mesela Corvinus (I), consul in 31 B.C., he was an orator and patron of letters and of poets like Tibullus and Ovid. He later became a supporter of Augustus (see *Annals*, Grant, p. 174). He was appointed by Augustus to discipline the slaves in Rome and was given great power and influence, but he resigned the assignment a few days later (Grant, p. 106). He fought with Brutus and Cassius at Philippi and later wrote a history of the Civil Wars.
49. **Line 4427-28**: The reference here is to a book by Cicero, in which he praised Cato; it was answered with a book by Caesar entitled *Anti-Cato*, in two volumes, now lost, in which Cato was bitterly attacked.
50. **Marcus Furius Bibaculus and Valerius Catullus** (III. 434): Poets who wrote poems full of insults to the Caesars. Catullus died in 5 B.C.
51. **Caeus Caesar** (III. 552): Grandson of Augustus and son of Julia and Marcus Agrippa.

Technical Terms and Legendary Names

52. **Client** (I. 23): Plebians who had moral and legal relations towards their 'patrons' who were patricians. All freed slaves automatically became *clients* of their former masters. The 'patrons' offered protection to their *clients* in return for certain services (see Grant's notes to the *Annals*, p. 403).
53. **consuls, ... praetors, ... senators** (I. 46-8):
Consuls: The highest ranking officials of the State and the senate, before the 'principate' became a legal office. Tenure was officially annual, but replacements during the year were also frequent: two *consuls ordinarii*, and several *consules suffecti* (=additional consuls) were appointed annually by the senate. To ex-consuls were assigned the governorships of the most important provinces of the empire (see Grant, p. 403).

54. **Praetors:** State officials, second in rank to the *consuls*. Normally, they numbered twelve, and it was Tiberius's practice to nominate four of them. Their task included administration of justice and charge of bureaux including the Treasury. Ex-praetors usually held the offices of provincial governors (see Grant, p. 405).

55. **Senators:** Members of the chief Council of State. Under the reign of Augustus they numbered 600. New quaestors, who were elected with the emperor's approval, became senators. Although membership was normally restricted to senators' sons, supplement was also made by imperial nominees. Senators practised broad judicial functions and were responsible for acceding to laws before such laws received the emperor's legitimacy. *Senatores pedarii*, or 'junior senators' held only minor offices and had limited power.

56. **Sestertia (I. 183):** Sesterce (*sestertius*) is the Roman currency usually quoted by Tacitus in the *Annals*. Its value was represented by a coin of brass which equalled one quarter of the silver *denarius*. In the marginal note to this line, Jonson mentions that the 50,000 sesterces ("fifty sestertia") equalled £375 in his own day.

57. **hecatombs (I. 206):** In ancient Greece, this term meant the killing of 100 oxen in sacrifice to the gods (Gr. *hecatombe*; *hecaton*: a hundred, *bous*: an ox). In English poetry the term was used by Keats in "hecatombs of vows", and by Shelley in "hecatombs of broken hearts".

58. **Rhadamanth (I. 208):** "Rhadamanthus", in Greek mythology, is one of the three judges of Hell (*Minos* and *Aecus* being the other two).

59. **Aesculapius (I. 355):** God of medicine and healing, son of Apollo and father of Hygeia. It was common "to sacrifice a cock to Aesculapius" after the recovery from an illness.

60. **Pallas (I. 373):** Also called *Pallas Athene*, a name of Minerva, the Roman goddess of wisdom, and patroness of the arts and trades, daughter of Jupiter.

61. **Antium (I. 508):** The modern Anzio.

62. **Aemilian place (I. 512):** The name relates to the Roman praetor Aemilius Mamercus, who made a law (A.U.C. 391) empowering the eldest praetor to drive a nail in the Capitol on the Ides of September, with the supposition that it would stop pestilence or avert a calamity" (*Brewer's Dictionary of Phrase & Fable*, revised edition by Ivor H. Evans, Guild Publishing (London, 1985). p. 13).

63. **Cythera (I. 515):** Correctly "*Cythnos*" in the Greek islands and has the modern name Kithnos.

64. **Castor (I. 575):** Originally, the name of a famous gladiator, a cotemporary of Drusus Senior. As Dio reports in *Roman History*, LVIII. xiv. 9, Drusus "was so given to violent anger that he inflicted blows upon a distinguished knight, and for this exploit received the nickname of Castor." This Castor is distinct from Castor and his twin brother Pollux, sons of Jupiter and Leda.

65. **Augusta's star (II. 40):** Augusta was Augustus's widow Livia, Tiberius's mother. According to Augustus's will, she became known as "Julia Augusta". Tacitus, however, calls her Augusta and not Livia. The title "Augusta" was later given to Agrippina (II) by emperor Claudius (reigned A.D. 41-45), and also to Nero's wives. (Nero reigned A.D. 54-68).

66. **Public hook** (II. 416): An instrument, the *uncus*, with which criminals in ancient Rome were dragged to the Gemonian steps and thrown, three days later, into the river Tiber.

67. **Juno** (II. 456): In Roman mythology, Juno was wife and sister of Jupiter, and queen of Heaven.

68. **Sphinx** (III. 65): In Greek mythology, Sphinx was a monster with the head and breasts of a woman, the body of a dog or lion, the wings of a bird, a serpent's tail, and lion's paws. It had a human voice and was believed to be daughter of Orthos and Typhon (or the Chimaera). The Sphinx inhabited the vicinity of Thebes in ancient Greece, setting the inhabitants riddles and devouring those who were unable to solve them. A riddle, set by Sphinx, was then solved by Oedipus, who thus saved his fellow Thebans. This Sphinx is different from the Egyptian Sphinx.

69. **Atlas** (III. 160): In Greek mythology, one of the Titans; he was condemned by Zeus for taking part in the war of the Titans, to hold up the universe on his shoulders.

70. **Aediles** (III. 66): Roman officials ranking above quaestors and below praetors. 'Curule' and 'plebians' were two branches of the aedilate but the function of both was to take care of the city of Rome. To the *aediles plebii* was assigned the task of preserving the senatorial decrees.

71. **Lictors** (III. 470): Freeborn attendants who carried axes surrounded by rods as symbols of authority before the highest magistrates.

72. **Campania** (III. 670): an area in Italy, south of Rome, which included the cities of Pompeii, Capua, Nola, and Misenum.

73. **Speluncha** (IV. 48) : The modern Sperlongo, between Terracina and Gaeta.

74. **The Gemonies** (IV. 283): The Gemonian steps on the Aventine hill where bodies of criminals were thrown.

75. **Pontia** (IV. 330): an island in the Tyrrhenian sea near Naples.

76. **Pandataria** (IV. 335): The modern Pantellaria, an island in the Tyrrhenian sea near Naples.

77. **Blue-eyed Maid** (IV. 337): Another name of Pallas Athena.

78. **Alcides** (IV. 338): Another name of Hercules.

79. **Greek Sinon** (IV. 360): The Greek who persuaded the Trojans to accept the wooden horse. The name is given to anyone deceiving or betraying others.

80. **Caldees** (IV. 380): astrologers.

81. **Catamite** (IV. 404): a boy kept for homosexual purposes.

82. **Heliotrope** (IV. 426): In Greek, the word means "turn-to-sun". A sun-flower which always turns to face the sun.

83. **Pollux ... Hercules** (IV. 438): "castor" and "Polux", which appear in the Quarto, were later changed by Jonson when he realised that "Castor" was an oath taken only by women, whereas "Hercules" was a men's oath. Briggs pointed this out when he quoted Aulus Gellius, who, in his *Attic Nights*, XI. vi. 1, had revealed that "In our early writings neither do Roman women swear by Hercules nor the men by Castor", and

added that "why the men did not name Castor in oaths is not easy to say" (Xi. vi. 3), quoted by Philip Ayers, ed. *Sej.*, p. 202n.).

84. **Lynceus** (IV. 473): One of the Argonauts (the sailors of the ship Argo who sailed from Iolcos to Colchis in request of the Golden Fleece). He was renowned for his sharp sight.

85. **Olympian** (V. 79): Of Olympus = the home of the gods of ancient Greece, where Zeus held his court.

86. **a Roman King** (V. 86): i.e. Servius Tullius.

87. **Praetorian ... centurions ... tribunes** (V. 111-12): Praetors were the state officials next in rank to the consuls. Normally, they numbered twelve. Each praetorian cohort, together with 100 and up to 1000 men (centurion, were commanded by a tribune. Every legion of the Roman army comprised over sixty centurions).

88. **Tubicines, Tibicines** (V. 170): Trumpeters and flautists respectively.

89. **Flamen** (V. 170): A priest.

90. **Destines** (V. 253): The three *Parcae Fates*, who, according to ancient Greeks and Romans, arbitrarily controlled the birth, life and death of a human being. They were *Clotho*, *Lachesis*, and *Atropos*, sometimes called "the cruel Fates" because they disregarded human wishes.

91. **Harpocrates** (V. 414): The Greek god of silence and secrecy, represented as a naked boy, sucking his finger.

92. **Lictors** (V. 433): Roman officials who ushered the Roman magistrates through the streets, clearing a path for them. As they had to do that job they were supposed to be quick-footed. Lictors also bound the hands and feet of criminals before they executed the sentence of law.

93. **Liburanian porters** (V. 458): "Illyrian slaves who acted as court-messengers. A particular kind of sedam-chair, the *liburna* was named after them" (H. & S., *Ben Jonson*, IX. 630).

94. **Lapwig** (V. 568): This bird was a symbol of insincerety as it was commonly believed to cry loudest when it was farthest from its nest in order to allure people away from the nest. (Cf. Shakespeare, *Comedy of Errors*: "Far from her nest the lapwig cries away (IV. ii)).

95. **Porpoise** (V. 631): A very stout man whose appearance abodes a storm.

96. **Typhoeus** (V. 683): Sometimes called Typhon, a monster of Greek mythology, son of *Gaea* and *Tartarus*, with a hundred heads, each with a terrible voice. He made war against the gods and was later killed by Zeus with a thunderbolt. According to one legend, he was buried under Mount Etna.

97. **Phlegra** (V. 695): The scene, in Macedonia, where Zeus defeated the Titans.

GLOSSARY B

Key to Classical Names and Technical Terms in *Catiline*

ACT ONE

1. **Sylla (I. 3):** Lucius Cornelius Sylla (correctly Sulla), dictator of Rome who reigned 80-82 B.C. after a civil war against Cinna and Marius. He was notorious for his ruthlessness as he condemned his political and military opponents to death and confiscated their property for himself and his followers.

2. **Tyber (I. 7):** The famous river in Rome, into which the bodies of condemned criminals were thrown.

3. **Stygian sound (I. 11):** The epithet "Stygian" means 'infernal', 'gloomy', and relates to the river Styx, which, according to classical mythology, flowed nine times round the infernal regions.

4. **Pluto (I. 16):** According to Roman mythology, the ruler of the infernal regions, especially the graves.

5. **Catiline: (I. 19 and *passim*):** Lucius Sergius Catilina; he belonged to the Sergian family whose origin can be traced back to the Trojan times. Born about 108 B.C., he became an officer in the war against the rebellious Italian allies (91-87 B.C.). Later, he became an officer in Sulla's army during the civil war and was a notorious name as he ruthlessly took part in the persecution of Sulla's political opponents. In 73 B.C. he was accused of seducing a Vestal Virgin but was later acquitted in court. He became a Praetor in 68 B.C. and served as governor of Africa. He returned to Rome and stood twice for the consulship but failed to secure a success: on the first occasion because of his "unsuitable character"; on the second, because he was at the time awaiting trial on a charge of peculation during his governorship. Consequently, Catiline was allowed to stand for the consulship in 64 and 63 B.C. but he was unsuccessful in either of them. Having failed to win the vote, Catiline then resorted to violence and succeeded in courting and winning the loyalty of a remarkable number of supporters, apparently all driven by need and personal ambitions, to plunder the treasury, destroy the Senate, and set Rome on fire. In the meanwhile, Cicero, a newly-elected consul, received full information of the plot and delivered his first oration (8 November, 63 B.C.) and Catiline consequently left Rome. The next day Cicero delivered his second oration and many of Catiline's accomplices were arrested. Catiline was driven out of Rome and headed an army against the city; he was killed in battle at Pistoria in Etruria in 62 B.C.

6. **Gracchi (I. 21):** These were Tiberius Sempronius Gracchus and his younger brother Gaius Sempronius Gracchus, who were tribunes in 133 B.C. and 123 B.C. respectively. They were both radical reformers; Tiberius proposed to alleviate the economic distress by distributing public lands, held by a minority of individuals, among the impoverished class; Gaius proposed the provision of corn at low and fixed prices. Both policies won popular support. Opposed by guilty Roman nobles, afraid of losing their privileges, Tiberius and Gaius were butchered while holding public offices.

7. **Cinna (I. 21):** Lucius Cornelius Cinna, a prominent partisan of the *populares*, succeeded in becoming a consul each year from 87 to 84 B.C. In 87, when the Senate

tried to depose him, he turned against Marius and his men who had massacred Sulla's supporters by the hundred. Cinna was killed in 84 by some of his rebellious troops while he was preparing to go to Greece to wrest command from Sulla.

8. **Marius (I. 21):** Gaius Marius was born at Arpinum of a humble origin. He was a staunch supporter of the *populares* and earned a good reputation among the people. He held the office of tribune and praetor in 119 and 115 B.C. respectively. He later took part in the war against the Numidian King Jugurtha, begun in 112, and proved a remarkable figure in it. He was elected consul in 107 B.C. as a result of his good services as second-in-command to Metellus two years earlier. He also won an unconstitutional series of five consulship between 104 and 100 B.C. He joined Cinna in the civil war against Sulla in 87 B.C. and then obtained his seventh consulship. His reign was punctuated with terror and slaughters. Marius died in 84 B.C.

9. **Hannibal (I. 24):** The Carthaginian commander who, during the second Punic war, particularly in 218, launched his invasion of Italy from Spain across the Alps and won a series of victories against the Roman armies. To the Romans, his name was synonymous with cruelty and savagery.

10. **Vestal (I. 31):** Related to Vesta, the virgin goddess of the hearth in Roman mythology. In Rome, there was a tradition of dedicating virgin women of noble origins to the service of Vesta. Six vestals tended the sacred fire brought by Aeneas from Troy; if the fire went out it meant that a national calamity was imminent. The tradition was to bury a Vestal alive if she lost her virginity.

11. **Senators (I. 38):** Members of the Senate, the chief Council of the Roman state. Its membership numbered 600 during the reign of Augustus and a property qualification of 1,000,000 sesterces was required. Its recruitment was from new *quaestors* who were elected only with the approval of the emperor. Recruitment from imperial nominees was also possible, in addition to that from senators' sons. Senators were responsible, like the emperor, for undertaking judicial duties.

12. **Furies (I. 70):** The three Roman sisters, Tisiphone (the Avenger of Blood), Alecto (the Implacable), and Megaera (the Jealous one), goddesses of vengeance who punished transgressors before and after death. Their Greek counterparts are called the Euminides.

13. **Atlas (I. 86):** One of the Titans, according to Greek mythology. Zeus punished him for his part in the war of the Titans by making him uphold the earth on his shoulders.

14. **Pontick war (I. 90):** The war against Mithridates, King of Pontus on the south coast of the Black Sea.

15. **Mars (I. 97):** The Roman god of war and the patron of husbandmen.

16. **Phoebus (I. 100):** An epithet of Apollo, god of the sun.

17. **Orestilla (I. 107):** Aurelia, wife of Catiline.

18. **Ambrosiac (I. 112):** Related to Amrosia, the food of the gods, so called because it made them immortal.

19. **Nectar (I. 112):** The drink of the gods, according to classical mythology.

20. **Lentulus (I. 133):** Publius Cornelius Lentulus Sura, a chief supporter of Catiline's conspiracy against Rome. He was consul in 71 B.C.; in 63 B.C., the year of the

conspiracy, he was expelled from the Senate on grounds of immorality, but he was elected praetor in the same year.

21. **Sybill** (I. 135): (Correctly Sibyl), a prophetess in classical mythology. According to Livy, there were nine books of oracular utterances, (the Sibylline Books), offered by Sibyl to Tarquin. Only three books were believed to have survived and were preserved in the Temple of Jupiter. Those books were eventually destroyed by fire in 83 B.C.

22. **Cornelli** (I. 137): The Cornelli were Sulla, Lentulus and Cinna; Cethegus was believed to be the fourth of their number.

23. **Augurers** (I. 139): These were Roman religious officials whose duty was to interpret, through signs called 'Auspices', omens and oracles in order to see whether the gods favoured or disfavoured a proposed action in Rome.

24. **Cethegus** (I. 140): One of Catiline's accomplices in the conspiracy, and the boldest of them, as portrayed in Jonson's play.

25. **Cyclops** (I. 144): One-eyed creatures belonging to the race of Giants. Their duty was to form iron from Vulcan. It was believed that they were three in number (Arges, Steropes, and Brontes).

26. **Curius** (I. 149): Quintus Curius, one of Catiline's fellow-conspirators. He was a man of good birth but he later deteriorated into crime and infamy. Sallust describes him as unreliable and reckless; he was responsible for exposing the Catilinarian conspiracy to Cicero through Fulvia, his former mistress.

27. **Lecca** (I. 156): (Correctly Laeca), Marcus Porcius Laeca, another name in the list of plotters. He was the host of a meeting between Catiline and his accomplices at night.

28. **Vargunteius** (I. 156): One of two conspirators to whom was assigned the task of accompanying a band of armed men who were sent to assassinate Cicero, the other being Gaius Cornelius.

29. **Bestia** (I. 156): Lucius Calpurnius Bestia, an accomplice of Catiline, a tribune in 62 B.C. Bestia survived the conspiracy, and Cicero defended him in 56 B.C. against charges of bribery in his candidature for the praetorship.

30. **Autronius** (I. 156): Publius Autronius Paetus, a follower of Catiline. He was consul-elect in 65 B.C. during the consulship of Lucius Tullus and Manius Lepidus, and was prosecuted on a charge of electoral corruption.

31. **Juno** (I. 181): In Roman mythology, the wife and sister of Jupiter and queen of Heaven. She was also the protectress of marriage and women, and was represented as a war goddess.

32. **Jove** (I. 181): Another name of Jupiter, the supreme god in Roman mythology and the protector of Rome.

33. **Longinus** (I. 207): Lucius Cassius Longinus, one of Catiline's conspirators. He was praetor in 66 B.C. and an unsuccessful candidate for the consulship in 63 B.C.

34. **Fulvius** (I. 208): A senator's son, he was among a group of Romans who set to join Catiline at the start of the conspiracy. He was arrested and put to death by his father's order.

35. **Gabinius** (I. 208): Publius Gabinius Capito, a conspirator in Catiline's plot. Together with Statilius, another conspirator, he was in charge of a large group of men who were to set fire to different buildings in Rome. Gabinius introduced the Allobroges to the rest of the conspirators as part of Cicero's plan to uncover the plot.
36. **Charon** (I. 247): in Greek mythology, the old man who ferried the dead over the rivers of Styx and Acheron in the underworld.
37. **Atreus** (I. 313): According to Greek legend, Atreus avenged himself on his brother Thyestes, who had attempted to usurp the throne, by killing the latter's sons and serving their flesh to him at a banquet. At this point, so the legend goes, the sun turned back in horror of the sight.
38. **Capitol** (I. 321): The Temple of Jupiter which was built on the Capitoline Hill in Rome. It was burnt during the Civil Wars in 83 B.C.
39. **Lar** (I. 383): In ancient Rome, the god of the household.
40. **Attick** (I. 384): (attic), related to the style of Athens, whose territory was also called Attica.
41. **Tyrian** (I. 384): This epithet is associated with the colour purple, a symbol of power and luxury in ancient Greece and Rome. The famous Tyrian purple was made from a mixture of shellfish and was very expensive. The epithet 'Tyrian' is believed to be derived from Tyre on the coast of Phoenicia, in modern times a port city in southern Lebanon.
42. **Ephesian** (I. 385): This is related to Ephesus in Asia Minor; it was famous for a school of "naturalistic" artists in the fourth century B.C.
43. **Corinthian** (I. 385): Corinthian brass, related to Corinth, was thought to be an alloy made of various metals (gold, silver, and copper) of which vases and ornaments were made and were valued more expensive than those made of gold or silver only.
44. **Pompey** (I. 387): (Gnaeus Pompeius Magnus) Pompey the Great, a Roman general and statesman, who defeated Mithridates, King of Pontus in Asia Minor. During the Civil War he had fought with distinction on Sulla's side; as a result Sulla provided him with a senatorial grant for military authority for dealing with Marius's supporters in Sicily and Africa. It was after his success in this mission that he was given the title of 'the Great' (*Magnus*). Later, he was responsible for quelling disturbances in North Italy and was rewarded with the command of an army in Spain. He returned with his army to Italy in 71 B.C.
45. **Asia** (I. 387): A Roman province which corresponds in modern times roughly to Western Turkey.
46. **Phasis** (I. 388): A river at the eastern end of the Black Sea, a site for pheasants.
47. **Attalick** (I. 389): Gold-embroidered, related to Attalus III of Pergamum, renowned for his wealth and his introduction of gold-embroidered textiles.
48. **Lucrine** (I. 389): A lake in Italy near Naples, famous for its oysters.
49. **Circei** (I. 390): A town on the west coast of Italy, corresponding to modern Circello; its neighbourhood provided the finest kind of oysters.
50. **Consul** (I. 418): The highest official of the Roman state in Rome. Two consuls were elected annually for a whole year.

51. **Cneus Piso** (I. 443): (Gneus Calpurnius Piso) A poor noble of unprincipled character and a bitter enemy of Pompey. He was appointed by Crassus as governor of Spain in 65 B.C. and was murdered by some Spaniards in 64 B.C. Jonson's inclusion of Piso in the meeting of the conspirators at Catiline's house is a departure from Sallust or probably a mistake by the dramatist, as Piso was dead at the time of the meeting in question.

52. **Mauritania** (I. 443): A country in North Africa, corresponding in modern times roughly to Algeria and Morocco. It was ruled by King Bocchus.

53. **Nucerinus** (I. 444): (Publius Sittius) A native of Nocera (modern Nuceria), a town in Campania, northwest of the present Salerno. He was a mercenary officer at the head of an army in Mauretania at the end of Catiline's conspiracy. Jonson extends a brief mention of him in Sallust, *Catilina*, 21 (see Handford, p. 190) and makes him an accomplice in the conspiracy, though there is no firm evidence in the chronicle to suggest his complicity.

54. **Caius Antonius** (I. 447): A praetor in 66 B.C., he was also a consul in the same year as Cicero (63 B.C.). Cicero secured his neutrality towards the conspiracy by offering him the governorship of Macedonia. As governor he proved incompetent and corrupt; consequently he was exiled in 59 B.C.

55. **Praetor** (I. 471): A state official next in rank to a consul. Praetors numbered eight during this period and were elected annually. They were administrators of justice and sometimes were charged with important offices like the Treasury.

56. **Fasces** (I. 472): A bundle of rods tied round with a red thong from which sprang an axe. In ancient Rome, *fasces* were given to higher magistrates as symbols of authority and power.

57. **Lictors** (I. 473): Roman officials, so called because they bound the hands and feet of criminals before the sentence of law was executed; (Lat. *Ligo*, "I bind" or "I tie").

ACT TWO

58. **Fulvia** (II. 1): A woman of good family, she was the mistress of Curius, privy to Catiline's conspiracy. She played a high role in uncovering the plot to Cicero by passing information from Curius.

59. **Galla** (II. 1): A slave-girl from Gallia (Gaul), as her name implies.

60. **Clodius** (II.4): A Roman noble who was involved in a scandal with Caesar's wife in 61 B.C. In 58 B.C. he was able to drive Cicero, his enemy, into exile by a threat of prosecution for having given the unprecedented death sentence to the Catilinarian conspirators. He was murdered in 52 B.C.

61. **Sempronius** (II. 32): The wife of Decimus Brutus, consul in 77 B.C. and the mother of Decimus Brutus, who was one of the assassins of Julius Caesar. She was a woman of good birth and considerable beauty, well-educated in Greek and Latin Literature. Sallust, in *Catilina*, 25, describes her as "reckless" and "careless of her reputation". She joined in Catiline's conspiracy and was the hostess of one of the meetings of the plotters while her husband was away.

62. **Castor** (II. 86): In classical mythology, Castor was the twin brother of Pollux and son of Jupiter and Leda. The twin brothers were also known as the *Dioscuri* and their names were used by Roman mariners to predict the termination of storms (it was

believed that if St. Elmo's fire showed one flame, it meant that the storm was to come; if two or more luminous flames appeared, the mariners called them Castor and Pollux and thought that they boded the end of the storm). The oath "by Castor" was made mainly by women, and "by Pollux" by men.

63. Venus (II. 87): The Roman goddess of beauty and love.

64. Tribes (II. 97): The thirty-five divisions to which Romans belonged during this time. These ancient territorial units were so organized for formal and practical purposes such as voting, taxation and military recruitment.

65. Centuries (II. 98): Military divisions in ancient Rome, which numbered over sixty in one legion.

66. Crassus (II. 100): (Marcus Licinius Crassus) A Roman of noble birth, who devoted the early years of his career to building-up influence in the Senate by establishing strong relations with powerful families in Rome. He proved an able officer when he fought in Sulla's army during the Civil War against Gaius Marius the younger in 82 B.C. He was so successful in making money that his wealth later became proverbial. He became praetor in 73 and in the following year he won the war against Spartacus, who led the slave revolt. In 70 B.C. he was joint consul with Pompey and was his main rival despite their cooperation during this time. He supported Catiline during the election of 64 B.C. and was believed to have done his utmost to secure the defeat of Cicero. That he backed up Catiline at the election of 63 B.C. is a claim unsupported by solid evidence. Crassus formed an alliance with Caesar and Pompey in 60 B.C.

67. Caesar (II. 100): (Gaius Julius Caesar) The son of an old but impoverished Roman family. During the Roman Civil War he had been on the staff of a provincial governor. He became a prominent politician when he identified himself with the *populares*, the 'radicals' who opposed the 'traditionalists', the "*optimates*".

68. Publius Galba (II. 106): One of the consular candidates in 63 B.C.

69. Quintus Cornificius (II. 107): See note 151, below.

70. Marcus Tullius Cicero (II. 108): The great Roman orator, philosopher and statesman (106-43 B.C.), a native of Arpinum, a town in the Volscian highlands.

71. Patricians (II. 117): Members of the noble and aristocratic class in ancient Rome.

72. Fauns (II. 170): Minor Roman deities of the countryside, attendants of Faunus, god of prophecy, who had the form of a satyr and was identified with the Greek Pan.

73. Centaurs (II. 171): Mythological beasts, half horse and half man.

74. Leda (II. 181): In Greek mythology, Leda was a woman from Sparta, seduced by Jupiter in the guise of a swan while she was bathing.

75. Europa (II. 181): According to Greek mythology, Europa was carried off to Crete by Jupiter in the guise of a bull.

76. Danae (II. 182): Daughter of Acrisius, King of Argos. She was imprisoned by her father and forbidden to marry because an oracle had predicted that her son would kill the king. Jupiter visited her in the shape of a shower of gold and she bore a son.

77. Jupiter (II. 183): The supreme god in Roman mythology and the protector of Rome; alternatively called Jove.

78. **Hercules** (II. 227): In Greek mythology, a hero of superhuman power.
79. **Cypris** (II. 278): A cult related to Cyprus, an island associated with the worship of Venus.
80. **Pollux** (II. 282): Twin brother of Castor, in classical mythology. (See note 62, above)
81. **Lais** (II. 283): A collective name for three famous Greek courtesans.
82. **Lucrece** (II. 283): Lucretia, wife of Collatinus; she committed suicide, alleging rape by Sextus Tarquinius, son of the last king of Rome. Consequently, the Tarquins were expelled from Rome and the Republic was established.
83. **Tarquine** (II. 286): (Tarquinius Superbus) The tenth and last King of Rome. His son, Tarquinius Sextus, committed rape on Lucretia, in revenge of which the whole family of Tarquins was expelled from Rome.
84. **Bruti** (II. 391): A family of Brutuses, Consuls of Rome, who included Lucius Junius Brutus and Decimus Junius Brutus.
85. **Decii** (II. 391): Three members of a family, a father, his son, and his grandson, holding the same name, Publius Decius Mus. Each vowed himself to the infernal gods and died deliberately to secure victory for his side.
86. **Cipi** (II. 392): A plural name associated with Genucius Cipsus, whose story is reported by Ovid, *Metamorphosis*, 15, 565ff.
87. **Curtii** (II. 392): A hero of a myth invented to explain the origin of the name of the *lacus Curtius*, a pit in the sacred Roman Forum.
88. **Camilli** (II. 395): The family name of a Marcus Furius Camilius, his son, Lucius Furius Camillus, and his grandson of the same name; the first two defeated the Gauls, and the third destroyed the Latin League in 33 B.C.
89. **Fabii** (II. 396): Quintus Fabius Maximus Rullianus, hero of the Samnite Wars (325-295 B.C.), and Quintus Fabius Maximus Cunctator, the hero who saved Rome by delaying against Hannibal.
90. **Scipio** (II. 396): The family name of Publius Cornelius Scipio, a consul in 218 B.C. who fought against Hannibal; his son, Publius Cornelius Scipio Africanus Maior, who secured a victory over Hannibal in 202 B.C., and Publius Cornelius Scipio Aemilius Africanus Minor Numantinus, who destroyed Carthage in 146 B.C.

ACT THREE

91. **Cato** (III. 1): The Roman censor Marcus Porcius Cato (234-149 B.C.).
92. **Quintus Lutatius Catulus** (III. 1): Consul in 78 B.C., a supporter of the *optimates* (the traditional part of senators). He opposed the radical Pompey in 67 and 66 B.C. In 63 B.C. he attempted in vain to induce Cicero to invent evidence against Caesar of his complicity in Catiline's conspiracy.
93. **Marcus Tullius** (III. 56): See Cicero, note 70 above.

94. **Hydra** (III. 100): A multi-headed water snake, mythologically reputed to have had a hundred heads. One of Hercules's twelve labours was to kill it; the legend tells that every time he struck one of its heads, two sprang in its place. It was eventually destroyed by Hercules and his charioteer who applied burning brands to its wounds every time Hercules cut one of its heads.
95. **Caucasus** (III. 199): A range of mountains to the east of the Black Sea which the Greeks considered the farthest part of the ancient world.
96. **Quintus Tullius Cicero** (III. 312): Brother of Cicero, the orator. He was a praetor in 63 B.C. and a governor of Asia from 61 to 58 B.C.
97. **Terentia** (III. 344): Wife of Cicero, by whom she was divorced in 46 B.C. She is believed to have been later married to Sallust and then to Messala Corvinus, a consul in 31 B.C.
98. **Tribunes** (III. 482): In ancient Rome, a chief magistrate and powerful officials, appointed to protect the plebians against the patricians.
99. **Titan** (III. 542): In Greek mythology, one of the children of Uranus and Gaea, of great size and power. There were twelve of them, six males and six females.
100. **Ceparius** (III. 547): Marcus Caeparius, a friend of Catiline, a native of Terracina. He was one of the conspirators but, having heard of the betrayal of Catiline's plans, withdrew from the conspiracy and fled from Rome. He was sentenced to death with the rest of the plotters.
101. **Piso** (III. 552): Gnaeus Calpurnius Piso, a poor Roman senator who, in 65 B.C., was appointed governor of a Spanish province. He was murdered by some Spaniards, probably supporters of Pompey, in 64 B.C. According to Sallust, *Catilina*, Piso was drawn into a former conspiracy by Catiline in 66 B.C.
102. **Septimius** (III. 557): An associate of Catiline, a citizen of Camerino in Umbria.
103. **Picene Territory** (III. 558): A district in northern Italy, corresponding to modern Ancona.
104. **Apulia** (III. 559): A district in southeast Italy, between the Apian Way and the Adriatic Sea.
105. **Manlius** (III. 560 and IV. 242): Gaius Manlius, a former officer in Sulla's army and an associate of Catiline by whom he was sent to Faesulae in Etruria to head an army and start hostilities against Rome.
106. **Fesulae** (III. 560): (Correctly Faesulae), a city in Etruria, corresponding to modern Fiesole.
107. **Cimbrian war** (III. 564): The reference here is to the war in 101 B.C. between Marius and the Cimbri who sustained a heavy defeat after their attempt to invade Italy.
108. **Gallia** (III. 581): Also called Gaul, part of the Roman empire at this time.
109. **Belgia** (III. 581): The northwest part of Gaul.
110. **Saturnals** (III. 597): The Saturnalia, the ancient Roman festival of Saturn, celebrated around 19 December and sometimes lasted for a whole week. It was an occasion for merrymaking, revelry and sometimes riot and debauchery.

111. Statilius (III. 630): A conspirator of the Equestrian Order.

112. Tarquines (III. 645): The family name of a legendary line of Roman kings who included Tarquinius Priscus, his son Tarquinius Superbus and the latter's son Tarquinius Sextus, who allegedly raped Lucretia and thus caused the expulsion from Rome of the Tarquins after which the Roman Republic was established.

113. Charybdis (III. 653): A legendary whirlpool on the coast of Sicily. Proverbially, it was used with "Scylla" to signify two equal dangers. According to Homer, *Odyssey*, he swallowed the sea three times a day and threw it up three times.

114. Cornelius (III. 703): Gaius Cornelius, an associate of Catiline, and a member of the Equestrian Order. Together with Lucius Vargunteius, he was assigned the role of heading a band of armed men and attempting to assassinate Cicero in his house.

115. Gaul (III. 752): The country of the Gauls. (See Gallia, note 108 above)

116. Moor (III. 752): A derivation from the Greek and Latin *Maurus*, an inhabitant of Mauritania. In the Middle Ages, the term was loosely applied to all Moslems.

117. Carthage (III. 753): A powerful city in North Africa which built an empire in Spain and Sicily. It formed the main military enemy to ancient Rome, and war between the two states erupted three times between 264 and 146 B.C. during the second of which Hannibal invaded Italy. Carthage was destroyed in 146 B.C.

118. Flaccus (III. 767): Lucius Valerius Flaccus, a praetor in 63 B.C. He supported Cicero against the Catilinarian conspiracy.

119. Pomptinius (III. 767): Gaius Pomptinius, a praetor in the year of Catiline's conspiracy. Cicero assigned to him the task of waiting on the Mulvian Bridge with Lucius Valerius Flaccus for the Allobroges, who were supposed to meet Catiline, and to arrest them.

ACT FOUR

120. Allobroges (IV. 1): A powerful Gallic tribe, who inhabited the province of Galia, an area between the Rhône, the Isère and the lake of Geneva, and formed the part of the Roman province of Transalpine Gaul. In 63 B.C., the year of Catiline's conspiracy, they sent a delegation to Rome to pass a complaint against the governor of their province. Catiline tried to win their support against Rome but they revealed his intentions to Cicero and collaborated with Rome whose Senate voted rewards for them.

121. Fabius Sanga (IV. 40): (Quintus Fabius Sanga) The patron of the Allobroges in Rome, he was the link between them and Cicero as the former collaborated with Cicero against Catiline and his fellow-conspirators.

122. Conscript Fathers (IV. 65): (Lat. *Patres Conscripti*), a term used in addressing the Roman senators. There is no definite meaning to this term. One explanation relates the term to Romulus's possible institution of a Senate of a hundred elders called *Patres* (Fathers). It is believed that another hundred members were added after the Sabines joined the state. Tarquinius Priscus, the fifth Roman king, also added another hundred called *Patres Minorum Gentium*. After the banishment of Tarquinius Superbus, the seventh and last king of Rome, several senators went with them; Junius Brutus then filled in the vacancies from members who were called *conscripti*. Consequently, the Senate was addressed as *Patres Conscripti* or *Patres, Conscripti*.

123. Ate (IV. 170): In Greek mythology, the goddess of vengeance and mischief, sent to earth by Zeus.
124. Hetruria (IV. 214) (Correctly Etruria): The modern Tuscany, it covered an area between the Tiber and the Arno in the north.
125. Caius Manlius (IV. 242): See note 105, above.
126. Kalends (IV. 246): Or the Calends, the first day of the month according to the ancient Roman calendar.
127. Praeneste (IV. 256): A town to the east of Rome, the modern Palestrina.
128. Ides (IV. 331): According to the ancient Roman calendar, the 15th of March, May, July, and October, and the 13th of all the other months.
129. Lepidus (IV. 335): Manius Aemilius Lepidus, joint-consul with Lucius Tullus in 66 B.C. when Catiline, according to Sallust, *Catilina*, 18, was involved in an earlier plot against Rome.
130. Lucius Volcatius Tullus (IV. 335): A consul in 66 B.C. (See previous note).
131. Tantalus (IV. 353): In Greek mythology, a Lydian king, the son of Zeus and a Nymph. Because he revealed the secrets of the gods, he was punished by being plunged up to his neck in a river of Hades (a place of gloom, in classical mythology), and a fruitful tree hung over his head. He could not drink, nor could he eat whenever he felt thirsty or hungry, though surrounded by fruits and water; hence the word *tantalizing*.
132. Tityus (IV. 353): In Greek mythology, a giant son of Zeus and Gaea whose body covered nine acres of land. He attempted to rape Latona (mother by Jupiter of Apollo and Diana); Apollo cast him into Tartarus (the infernal regions of classical mythology), where a vulture fed on his liver which grew as fast as it was eaten.
133. Aurelian way (IV. 382): A road between Rome and Genoa, along the west coast Of Italy.
134. Marcus Tullius (IV. 388): See Cicero, note 70.
135. Arpinum (IV. 480): A town in Italy, the birth-place of Cicero.
136. Massilia (IV. 558): The modern Marseilles, to which Catiline fled after his plans were revealed.
137. Umbrenus (IV. 576): Publius Umbrenus, an associate of Catiline, sent by him to the Allobroges to seek out their alliance with the conspirators against Rome.
138. Metellus Celler (IV. 674): (Quintus Caecilius Mettelus Celer); a praetor in 63 B.C., who was sent by the Roman Senate to Picenum to raise forces to deal with the threat by Catiline and his followers.
139. Decius Brutus (IV. 674): (Correctly Decimus Junius Brutus), Sempronia's husband and consul in 77 B.C. He was away from Rome at the time of Catiline's conspiracy.
140. Thucidides (IV. 718): Or Thucydides, an Athenian historian (c. 460-400 B.C.), who wrote a history of the Peloponnesian War.

141. **Hippolytus (IV. 731):** Son of Theseus, king of Athens. According to legend, he refused his stepmother Phaedra's advances to him and was consequently and falsely accused by her of seduction. Overcome with anger, his father sought out Neptune's help and the latter sent a sea monster which so frightened Hippolytus's horses that they drove him into the sea; he was then restored to life by Aesculpius.

142. **Calipso (IV. 737):** (Correctly Calypso). In classical mythology, the queen of the island Ogygia on which Ulysses was wrecked. She kept him there for seven years and promised him perpetual youth.

143. **Mercury (IV. 738):** The Roman god of science and commerce, the patron of travellers and also of thieves.

144. **Volturtius (IV. 739):** Titius Voltrucius, an agent of Catiline, from Crotona (a coastal town in south Italy). In 63 B.C. he was sent by Lentulus with envoys of the Allobroges to Gaul, carrying a letter to Catiline.

145. **Capaneus (IV. 755):** One of the Seven against Thebes. He boasted that even Zeus's fire would not prevent him from scaling the city walls, and was thus punished for his arrogance by Zeus with a thunderbolt.

146. **Thebes (IV. 755):** The Thebes of Boeotia in central Greece.

147. **Lucius Bestia (IV. 776):** Lucius Calpurnius Bestia, tribune in 62 B.C. and an associate of Catiline.

148. **Petreius (IV. 786):** Marcus Petreius, a lieutenant who replaced Antonius in commanding the Roman army against Catiline's forces in Etruria.

149. **Mulvian Bridge (IV. 801):** A bridge across the river Tiber above Rome, on the Via Flaminia.

ACT FIVE

150. **Servius Cornelius Sulla (V. 197):** A senator and a supporter of Catiline.

151. **Quintus Cornificius (V. 284):** An unsuccessful candidate for the consulship in 63 B.C.; Cethegus was kept under open arrest in his house.

152. **Publius Cornelius Lentulus Spinther (V. 285):** An Aedile in 63 B.C.; Lentulus was put in open custody in his house.

153. **Aedile (V. 286):** A Roman official, ranking above *quaestor* and under *praetor*; his duty was to maintain public order.

154. **Romulus (V. 334):** The legendary founder of Rome.

155. **Fasti (V. 336):** In ancient Rome, working days when the law courts were open. Later, all lists of events during the year of office became known as *fasti*.

156. **Lucius Tarquinius (V. 337):** An associate of Catiline, arrested allegedly on his way to join Catiline's forces. He claimed to have been sent by Crassus to assure Catiline of the latter's support.

157. **Lucius Vectius (V. 352):** (Correctly Vettius), a Roman knight and a member in Catiline's conspiracy.

158. **Decimus Junius Syllanus** (V. 437): (Correctly Silanus), consul-elect in 63 B.C. for the following year. He suggested that all the Catilinarian plotters, already in custody, should be executed.

159. **Concord** (V. 624): The Temple of Concord, built near the Forum in Rome, was frequented to worship *Concordia*, a goddess of civil harmony.

160. **Antipodes** (V. 628): Australia and New Zealand.

161. **Enyo**. (V. 663): Another name for Bellona, the Roman goddess of war, wife of Mars.

162. **Pallas** (V. 666): Pallas Athene, the patron-goddess of Athens and patroness of arts and crafts; the goddess of wisdom and the Greek counterpart of Romana Minerva.

163. **Minerva** (V. 678): The Roman goddess of wisdom and patroness of the arts and trades. She was considered one of the three chief Roman deities, the other two being Jupiter and Juno.

164. **Medussa** (V. 678): Or Medusa, the chief of the Gorgons, in classical mythology. According to legend, she violated the temple of Minerva who then transformed her beautiful hair into serpents, and her pretty face into a so horrible one that whoever looked at her soon turned into stone. Her destruction came on the hand of Perseus, who, borrowing a shield by Minerva, saw only Medusa's reflection and struck off her head.

APPENDICES

Appendix A
Sejanus and Its Sources

Appendix A

Sejanus: The Play and Its Sources

For writing his first extant Roman tragedy Jonson relied on a wide range of authorities, both classical and contemporary. The dramatist made no secret of his borrowings and his extensive marginal notes to the Quarto edition of the play (1605) show both the extent and range of his classical sources and a thesis-like meticulousness to footnotes. In such extensive and impressive marginal annotations, Jonson refers the reader to his particular authority for a particular line or passage in his play. However, Jonson remains silent about a few authorities from which he borrowed material for this play. Subsequent editors and critics of *Sejanus* have added considerably to the list of Jonson's sources for this historical tragedy.

Jonson's chief classical authorities for the writing of *Sejanus* are Cornelius Tacitus's *Annals of Imperial Rome*, Dio Cassius's *Roman History*, and Gaius Suetonius's *Lives of the Twelve Caesars*. In addition, the dramatist revealed that he had used the Belgian Justus Lipsius's edition of Tacitus's *Annals*, published in Antwerp in 1600, which contained useful commentaries on the narrative and auxiliary passages from other works. Jonson evidently borrowed many passages, with acknowledgment, from Tacitus's *Annals*, which offered him unsurpassed information both on his two main protagonists and the secondary characters of his play. However, to say that Jonson merely translated long passages from Tacitus and other bits from other authors is indeed a regrettable statement. The dramatist made it clear in his address 'To the Readers' that one of his main objectives in writing this tragedy was to achieve historical accuracy. This obliged him, of course, to pay great attention to minute details in the sources he consulted. Nevertheless, Jonson was greatly selective of his material and culled into the play passages and details which were of dramatic potential and served in rendering valid messages to the audience or readers of this tragedy. A conscientious comparison of *Sejanus* and the historical sources would show Jonson's major dramatic achievement in transforming historical data into effective dramatic work.

Other classical authorities which contained valid information about Tiberius and Sejanus also supplemented Jonson's major sources. For instance, the narrative of the climax and the tragic consequences in the historical episode (the banishment of Germanicus's wife and two sons and the death of the third son, the arrest and subsequent murder of Sejanus) did not survive in the *Annals*. To fill this gap in the narrative Jonson turned to another classical authority on this subject: Juvenal's *Satires*. The tenth satire, in particular, contained useful details about the condemnation of Sejanus in the letter sent by Tiberius to the Senate (*Sejanus*, V. 796), and about the manner of Sejanus's death, reported at the end of the same Act of Jonson's play. The dramatist's major indebtedness to Juvenal lies in the adoption of the same moral aversion to the shameful aspects of life in Rome under the reign of Tiberius. Although Jonson's actual textual debts to Juvenal are not predominant, the Juvenalian moral tone is palpable in Jonson's play. Much of the comments of the bitter-tongued Arruntius and those of the chorus-like commentators on the action are in fact reminiscences of Juvenal's *Satires*. Arruntius's expression of the disengagement of the noble characters from the evils of Tiberius's court, at the outset of the play, Arruntius's and Silius's bitter criticism of flatterers and informers, and the theme of deriding the fickle "Fortune", are all examples of Jonson's debts to Juvenal.

Other authors from whom Jonson borrowed material for the writing of his first Roman tragedy include Martial, Plautus, Pliny, and others (details are given below). To those authors Jonson acknowledged his indebtedness. But the dramatist also borrowed silently from other authors who included Claudian, Aristophanes, Persius, Machiavelli and others. The following pages show Jonson's indebtedness to classical and other sources, acknowledged by the dramatist or otherwise. Those sources, acknowledged by Jonson, are marked with an asterisk. Jonson's marginal notes, affixed to the Quarto edition of 1605 are reproduced by Herford and Simpson in *Ben Jonson*, vol. IV, 473-85, so it is pointless to reproduce them here. In identifying the play with the sources I have followed Jonson's text of *Sejanus*, reproduced in H. & S., *Ben Jonson*. Of the classical works I have used the Loeb Library editions and the Penguin Classics; the specific translations of such editions will be given below.

Jonson's major sources for *SEJANUS*

- *Cornelius Tacitus, *The Annals of Imperial Rome*.
- *Justus Lipsius's edition of Tacitus's *Annals* (C. Cornelii Taciti, *Opera quae exstant*).
- *Dio Cassius, *Roman History*.
- Plutarch, "Life of Tiberius" in *The Parallel Lives*.
- *Gaius Suetonius Tranquillus, *Lives of the Twelve Caesars*.

Jonson's minor sources for *SEJANUS*

- Aristophanes, *The Frogs*.
- *Aristotle, *Politics*.
- , *Rhetoric*.
- Ausonius, *Epigrams*.
- *Barnabé Brisson, *De formulis et Sollemnibus Populi Romani Verbis*.
- *G. Budé, *de Asse* (*On the Coin*).
- Claudian, *On Stilicho's Consulship* (*De Consulatu Stilichonis*).
- , *Against Rufinus* (*In Rufinum*).
- *Sextus Pompeius Festus, *De Verborum Significatione*, Book XV.
- *Horace, *Epistles*.
- , *Odes*.
- *Lilius Gregorius Giraldus, *De Deis Gentium* (Basel, 1548).
- *Juvenal, *Satires*, especially the Tenth Satire.
- *Justus Lipsius, *Satyra Menippaea*.
- *Livy, *The Early History of Rome*.
- Niccolo Machiavelli, *The Prince* and *The Discourses on Livy*.
- Lucan, *Pharsalia* or *The Civil War*.
- Macrobinus, *Saturnalia*.
- *Martial, *Epigrams*.
- Ovid, *Fasti*.
- , *Amores*.
- *Velleius Paterculus, *History of Rome* (a volume included in Lipsius's edition of the *Annals*).
- Onofrio Panvinio, *Republicae Romanae*.
- *Plautus, *Poenulus*.
- *Pliny, *Natural History*.
- Plutarch, *On Compliancy*.
- Persius, *Satires*.
- *Petronius Arbiter, *Poems*, especially *Satyricon*.
- *Ludovico Ricchieri Rhodiginus, *Lectiones antiquae* (1517).
- *Joannes Rosinus, *Antiquitatum Romanarum* (Basel, 1583).
- *Seneca, *Hercules Oetaeus*.

- , *Hercules Furens*.
 -----, **To Marcia on Consolation (Ad Marciam de Consolatione)*.
 -----, *Natural Questions*.
 -----, *On Mercy (De Clementia)*.
 -----, *On Anger (De Ira)*.
 -----, **On Benefits (De Beneficiis)*.
 -----, *On the Happy Life*.
 -----, *On Firmness*.
 -----, *On Providence (De Providentia)*.
 -----, **On Tranquility of Mind (De Tranquillitate Animi)*.
 -----, *Medea*.
 -----, *Oedipus*.
 -----, *Thyestes*.
 -----, *Troads*.
 -----, *Medea*.
 *Statius, *Thebaid*.
 , *Silvae*.
 *Strabo, *Geography*.
 *Johann Stuck, *Sacrorum Sacrificiorumque Gentilium* (Tiguri, 1598).
 Tacitus, *Histories*.
 Virgil, *Georgic*.

Q. title-page motto

From Martial, *Epigrams*, X. iv. 9-10: "Not here will you find Centaurs, not Gorgons and Harpies: 'tis of man my page smacks." Loeb ed., translated by W. C. A. Ker, 2 vols. (London, 1950), II, p. 155, cited by H. & S., *Ben Jonson*, IX, p. 591n.

'To the Readers'

1. 33. *English*. The reference here is to Richard Grenway's translation of *The Annals of Corn. Tacitus*, first published in 1598 and appeared later in four editions. Another reference by Jonson to this translation is made in the *Conversations with William Drummond of Hawthornden*, l. 603, as the "four bookes of Tacitus ignorantly done in Englishe."

1. 37. *Tacit. Lips.* in 4^o. Antwerp. edit. 600: the Justus Lipsius edition of Tacitus's *Annals (Opera quae exstant)*, published at Antwerp in 1600.

1. 40. *Dio. Folio. Hen. Step.* 92.: the reference is to the *Roman History* of Dio Cassius, published in twenty-five books in 1592 by Henry Estienne at Geneva.

1. 40. *Sueton. Seneca*: Suetonius's "The Life of Tiberius" in his history of the "Twelve Caesars." Seneca's *To Marcia on Consolation* and *On Benefits*.

11. 49-53. *I shall ... weakness*: From Persius, *Satires*, I. 47-8: "I'm not the man to shrink from applause; my skin's not that tough. /But I do say your 'Bravo' and 'Lovely' are not the final and ultimate test of what's good." (*The Satires of Horace and Persius*, a verse translation with an introduction and notes by Niall Rudd, revised edition, Penguin Books (London, 1987), pp. 209-10).

1. 57. *quem ... opimum*: Horace, *Epistles*, II. 1. 181:

To hell with the stage if a palm-leaf,
 Withheld or given, sends me away haggard or healthy!
 (*Ibid.*, translated by N. Rudd, p. 180).

The Persons of the Play: See Glossary A, above.

ACT ONE

1. *Caius Silius*. Jonson cites Tacitus, *Annals*, I. 31: "At justabout this time [A.D. 14] ... the regular brigades of Germany mutinied ... The army of Upper Germany was under the command of Gaius Silius (I), the army of Lower Germany under Aulus Caecina Severus..."

The forces of Silius did not regard the mutiny as their own concern and watched it with mixed feelings. But the army of Lower Germany lost its senses." (Tacitus, *Annals*, translated with an introduction by Michael Grant, revised edition, Penguin Books, (Harmondsworth, 1956, rept. 1987), p. 50. Unless otherwise indicated, all references to Tacitus's *Annals* are from Grant's translation, henceforth referred to as "Grant," followed by the page number(s). Jonson also cites *Annals*, II. 6-7, 25: on Silius's role in the advances of Germanicus between the Rhine and the Elbe, A.D. 16.

1. *Titius Sabinus*. Jonson cites Tacitus, *Annals*, IV. 18: "Sejanus attacked Gaius Silius (I) and Titius Sabinus. They both owed their ruin to Germanicus' friendship" (Grant, *op. cit.*, p. 166).

11. *by slavery ... climb*. Jonson cites Tacitus, *Annals*, I. 2: "Opposition did not exist. War or judicial murder had disposed of all men of spirit. Upper-class survivors found that slavish obedience was the way to succeed, both politically and financially" (Grant, *op. cit.*, p. 32).

14. *we owe unto our crimes*. Jonson cites Juvenal, *Satires*, I. 75:

Wealth springs from crime:

Landscape-gardens, palaces, furniture, antique silver.
(Juvenal, *The Sixteen Satires*, translated with an introduction and notes by Peter Green, Penguin Books (London, 1967, rept. 1974), p. 67). See also Tacitus, *Annals*, IV. 68: "For the only access to [advancement] lay through Sejanus; and only crimes secured Sejanus' goodwill" (Grant, p. 191).

15. *We burne with no black secrets*. Jonson cites Juvenal, *Satires*, III. 49 [47-54]:

Yet who today is favoured
Above the conspirator, his head externally seething
With confidential matters, never to be revealed?
Harmless secrets carry no obligations, and he
Who shares them with you feels no great call thereafter
To keep you sweet. But if Verres promotes a man
You can safely assume that man has the screws on Verres
And could turn him in tomorrow.

(Juvenal, *op. cit.*, p. 88)

21. *Latiaris*. On the man who betrayed Sabinus, Jonson cites Tacitus, *Annals*, IV. 68-69 (See Grant, p. 191); and Dio, *Roman History*, LVIII. I. 1-3. (References to Dio, *Roman History*, are from the Loeb edition, translated by E. Cary (London, 1961), cited again at IV. 93.

22. *Satrius ... Natta*. On Satrius and Natta, Jonson cites Tacitus, *Annals*, IV. 34: "The prosecutors [of Cremutius Cordus] were Satrius Secundus and Pinarius Natta, dependants of Sejanus" (Grant, pp. 173-4); and Seneca, *To Marcia on Consolation*, XXII. 4: "Recall that time, so better for you, when Sejanus handed over your [i.e.

Cordus's] father to his client, Satrius Secundus, as a largess." *Moral Essays*, Loeb ed., translated by J. W. Basore, II (London, 1970).

28. *informe*. Jonson refers the reader to Seneca, *On Benefits*, III. 26, which refers to the "common and almost universal frenzy for bringing charges of treason" under Tiberius, and to the "notorious informers" of that time -- *Moral Essays*, Loeb ed., translated by J. W. Bastore, III (London, 1964).

29-30. *beg ... livings*. Tacitus, *Annals*, IV. 20: it was proposed that "a quarter [of Socia's property] should go to the accusers - as the law required - but that her [i.e. Socia's] children should have the rest" (Grant, p. 167).

30-31. *cut /Mens throates*. Juvenal, *Satires*, IV. 109-10, mentions

Crispinus; then Pompeius, his match in ruthlessness,
Whose whisper slit men's throats.

(Juvenal, *The Sixteen Satires*, translated by Peter Green, p. 108).

31-32. *sell ... /The emptie smoake*. Martial, *Epigrams*, IV. v. 1. 7: Martial's Epigram is addressed to Fabianus, "A good man and poor, true in tongue and heart" (l. 1), who "cannot endure to ... sell about the palace empty smoke" (ll. 3; 7) -- (Martial, *Epigrams*, translated by Walter C. A. Ker, I, pp. 233; 235). "To sell about the palace empty smoke" was a proverbial expression meaning to make empty promises of favour by the Emperor.

[33]38-40. Jonson, in his marginal note on line 38, acknowledges indebtedness to Juvenal, *Satires*, III. 105, of the flattering Greeks and quotes ll. 100-8:

Laugh, and they split their sides. At the sight
Of a friend's tears, they weep too - though quite unmoved.
If you ask for a fine winter, the Greek puts on his cloak;
If you say "I'm hot", he starts sweating. So you see
We are not on equal footing; he has the great advantage
Of being able on all occasions, night and day,
To take his cue, his mask, from others. He's always ready
To throw up his hands and applaud when a friend delivers
A really resounding belch, or pisses right on the mark,
With a splendid drumming from the upturned golden basin.

(Juvenal, *The Sixteen Satires*, p. 90).

36. *as his watch observes his clock*. This line has an apparent anachronism. However, it has two interpretations: either, as Gifford pointed out, regulating a pocket watch by a public clock (this is true of Jonson's day, hence the anachronism), or, (referring to Roman times), setting sundials by public waterclocks (suggested by W. B. McDaniel, *M.L.N.* xxvii. 5 -- cited by H. & S., IX. p. 598n.).

41-55. *Alas, these things ... servility*. Jonson, in the marginal note on line 43, cites Tacitus, *Annals*, I. 7 (see note 43, below), and in his note on line 46 he cites and closely quotes Tacitus, *Annals*, III. 65: "But this was a tainted, meanly obsequious age. The greatest figures had to protect their positions by subserviency; and, in addition to them, all ex-consuls, most ex-praetors, even many junior senators competed with each other's offensively sycophantic proposals. There is a tradition that whenever Tiberius left the senate-house he exclaimed in Greek, 'Men fit to be slaves!' Even he, freedom's enemy, became impatient of such abject servility" (Grant, p. 150).

43. *filthier flatteries*. Jonson cites Tacitus, *Annals*, I. 7: "Meanwhile at Rome consuls, senate, knights, precipitately became servile" to Tiberius (Grant, p. 35).

52. *ô Race of men.* Jonson cites the same authority cited for 46, above.

57-58. *Who with our riots ... the iustice of the gods.* The source for these lines, unacknowledged by Jonson, is Tacitus, *Annals*, IV. 1: "The cause [of Sejanus's ascendancy] was rather heaven's anger against Rome" (Grant, p. 157).

60. *triumphéd world.* H. & S., IX. 599n., refer to Ovid, *Amores*, I. xv. 26, 'Roma triumphati caput orbis.' Peter Green's translation of this phrase reads: "so long as Rome's empire holds sway over the nations ..." (Ovid, *The Erotic Poems*, translated with an introduction and notes by Peter Green, Penguin Books (London, 1982), p. 110).

64-66. *Euery ministring spy ... liues.* Jonson cites Tacitus, *Annals*, I. 74: Aulus Caepio Crispinus and Romanus Hipso, two examples of ruthless informers, "created a career which was to be made notorious by the villanous products of subsequent gloomy years" (Grant, p. 74); *ibid.*, III. 37-38: concerning false charges of treason, "Tiberius and the accusers were untiring" (Grant, p. 138). Jonson also cites Juvenal, *Satires*, X. 87:

'Yes, and make our slaves watch us - eyewitnesses can't deny it,
Can't drag their wretched masters into court at a rope's end.'
That's how they talked of Sejanus, such was the private gossip
After his death.

(Juvenal, translated by Peter Green, 208);

and Suetonius, *Lives*, III. 61, where a lurid account of informers during the reign of Tiberius and of the brutality of the emperor himself is given: "Many of his men victims were accused and punished with their children - some actually by their children ... Special awards were voted to the informers who had denounced them and, in certain circumstances, to the witnesses too. An informer's word was always believed" (Suetonius, *The Twelve Caesars*, translated by Robert Graves, revised with an introduction by Michael Grant, revised edition (London, 1957, rept. 1989), 144). All references to Suetonius will be to this edition, henceforth referred to as "Graves," followed by the page number(s).

67-8. *Our lookes ... crimes.* Jonson's source here is Tacitus, *Annals*, I. 7: "Every word, every look he [i.e. Tiberius] twisted into some criminal significance - and stored them up in his memory" (Grant, p. 36); *ibid.*, III. 38: "Tiberius and the accusers were untiring"; to any charge under Tiberius "was added a charge of treason" (Grant, p. 138); Suetonius, *Lives*, III. 61: "Every crime became a capital one, even the utterance of a few careless words" (Graves, p. 144); Seneca, *On Benefits*, III. 26: "a ... universal frenzy for bringing charges of treason ... seized upon the talk of drunkards, the frank words of jesters" (the last quotation is cited by Philip Ayres, *Sejanus*, The Revels Plays (Manchester, 1990), p. 82n.).

70-2. *Tyrannes' artes ... deuoure.* These lines, with the exception of the phrase "flatterers grace", echo Machiavelli, *The Prince*, ch. XIX, "that princes should let the carrying out of unpopular duties devolve on others, and bestow favours themselves" -- *The Prince and The Discourses*, ed. Max Lerner (New York, 1950), p. 70 -- which Jonson also cited in *Discovery*, ll. 1158-60. Machiavelli, however, recommended that flatterers should be shunned, not given "grace" (ch. XXIII).

73. *Cordus.* On Cremutius Cordus, the Roman historian, his life and death, Jonson cites Tacitus, *Annals*, IV. 34-35 (quoted below, III. 407-60n.); Seneca, *To Marcia on Consolation*, I. iii, XXII. iv-vii (Jonson gives no specific reference); Dio, *Roman History*, LVIII. 24. 2-4; and Suetonius, *Lives*, II. 35, III. 61, and IV. 16.

78. *so downe to these*. Jonson cites Suetonius, *Lives*, II. (i.e. "Life of Augustus") 35; Cordus is quoted on the senatorial order under Augustus, not under Tiberius (see Graves, p. 74).

80. *Drysian? or Germanican?* On the factional divisions of the time, Jonson refers the reader to Tacitus, *Annals*, II. 43, "For the court was disunited, split by unspoken partisanship for Drusus [Tiberius' son] or Germanicus" (Grant, p. 99); and *Annals*, IV. 17, Sejanus "declared that Rome was split asunder as though there was civil war: people were calling themselves 'Agrippina's party' - the deepening disunity could only be arrested if some of the ringleaders were removed" (Grant, p. 166).

86. *Arruntius*. On the senator Lucius Arruntius, consul A.D. 6, Jonson cites Tacitus, *Annals*, I. 13: on his independence in the senate, and on Augustus's estimate of him as "both fit and capable [of becoming an emperor] if the chance arose" (Grant, p. 40); *Annals*, III. 31 - when, in A.D. 21, Arruntius defended the young nobleman Lucius Cornelius Sulla through Arruntius's Sullan connections (Grant, p. 135); and Dio, *Roman History*, LVIII. 27. 4-5, which records, as the *Annals* also do, VI. 48 (Grant, p. 225), that Arruntius, "distinguished alike for his great age and for his learning, took his own life" after being denounced by Macro in A.D. 37. During this time, Tiberius was dying, but Arruntius chose rather to die than to experience what he predicted would be an equally bad rule under Gaius Caligula.

90-1. *he ... euill*. Riddell points out that this echoes Martial, *Epigrams*, XII. vi. 11-12: "but thou, under a hard prince and in evil times, didst have courage to be good" Loeb ed., translated by Walter C. A. Ker (London, 1950). -- James A. Riddell, "Seventeenth-century Identifications of Jonson's Sources in the Classics", *Renaissance Quarterly*, XXVIII (1975), 207.

95. *monsters heart*. This is a reference to the assassination of Julius Caesar. Suetonius, in *Lives*, I. 82, describes the details of Caesar's assassination (Graves, p. 50), and reports that Caesar's physician Antistius "conducted the *post mortem* and came to the conclusion that none of the wounds had been mortal except the second one [by Brutus], in the chest" (Graves, p. 51).

103-4. *CORDVS ... race*. Plutarch, "Life of Brutus," *Parallel Lives*, 44: Brutus mourned over the body of his friend's body "and called Cassius the last of all the Romans, by which he meant that so noble a spirit could never again be bred in Rome" (Plutarch, *Makers of Rome*, translated with an introduction by Ian Scott-Kilvert, Penguin Books (London, 1965), p. 262. All references to Plutarch's *Lives* will be to this edition, henceforth referred to as "Scott-Kilvert," followed by the page number(s).

105. *DRVSVS*. On Tiberius' son, Jonson cites Tacitus, *Annals*, I. 24-30 (Grant, pp. 47-50), which reports how in A.D. 14 Drusus was sent to Pannonia by Tiberius to quell an army mutiny, and his ruthless success in this mission; Suetonius, *Lives*, III. 52: "Tiberius had no paternal feelings ... for his son Drusus the Younger, whose vicious and dissolute habits offended him ... When Drusus died Tiberius was not greatly concerned, and he went back to his usual business almost as soon as the funeral ended, cutting short the period of official mourning" (Graves, p. 139); and Dio, *Roman History*, LVII. xiii. 1-2: Drusus "was most licentious and cruel (so cruel, in fact, that the sharpest swords were called Drusian after him)."

105. *Hat[erius]*. According to Tacitus, Quintus Haterius was a member of a "senatorial family", and his "oratory impressed his contemporaries... Indded, his success was due to vigour rather than pains" -- See *Annals*, IV. 61 (Grant, p. 188). Jonson conflates him with Haterius Agrippa (see V. 456n. below).

106. *A riotous youth*. In reference to Drusus here, Jonson cites Tacitus, *Annals*, III. 37: "Even his youthful extravagances were not unpopular. Better to spend the day

enjoying shows and the night banqueting than to lead the emperor's isolated, joyless life of gloomy watchfulness and sinister machinations" (Grant, p. 138); and Suetonius, "Tiberius", *Lives*, 52: (see previous note, 105 -- Graves, p. 139).

112. *for opposing to SEIANVS*. Jonson cites Tacitus, *Annals*, IV. 1-3: on Sejanus's origin, character, and enmity towards Drusus senior, see notes to I. 212ff. below.

113. *for gracing ... so*. Jonson cites Tacitus, *Annals*, IV. 8: Germanicus's sons had been entrusted by Tiberius to his son Drusus while the latter lived (see Grant, p. 161).

114. *The sonnes ... GERMANICVS*. In a marginal note, Jonson mentions their names as Nero, Drusus (junior), and Gaius Caligula, citing Tacitus, *Annals*, I. 1 [41] on the fact that Gaius - a future emperor - was born in Germanicus's camp and nicknamed Caligula - "little boots". On Germanicus, Jonson cites (in addition to Dio, *Roman History*, LVII), Tacitus, *Annals*, I. 33-34: "Germanicus was married to [Augustus's] granddaughter Agrippina (I) and had several children by her; and since he was the son of Tiberius' brother Nero Drusus, one of his grandparents was the Augusta. Yet Germanicus suffered from the fact that his grandmother and uncle hated him, for reasons which were unfair but all the more potent" (Grant, pp. 51-52).

121-22. *SABINVS ... within*. Jonson cites Tacitus, *Annals*, IV. 18: Silius and Sabinus "both owed their ruin to Germanicus' friendship" (Grant, p. 166).

124. *a man ... vertue*. H. & S., (IX. p. 600n.), point out that this echoes Velleius Paterculus, *History of Rome*, II. 35, 2: "homo Virtuti simillimus" ("he resembled Virtue herself").

128[-54]. *He could so vse ...* Jonson cites Tacitus, *Annals*, II. 72-73: "The province and surrounding peoples grieved greatly. Foreign countries and kings mourned his friendliness to allies and forgiveness to enemies. Both his looks and his words had inspired respect. Yet this dignity and grandeur, befitting his lofty rank, had been unaccompanied by any arrogance or jealousy. At his funeral there was no procession of statues. But there were abundant eulogies and reminiscences of his fine character. Some felt that his appearance, short life, and manner of death (like its locality) recalled Alexander the Great. Both were handsome, both died soon after thirty, both succumbed to the treachery of compatriots in a foreign land. But Germanicus, it was added, was kind to his friends, modest in his pleasures, a man with one wife and legitimate children. Though not as rash as Alexander, he was no less of a warrior. Only, after defeating the Germans many times, he had not been allowed to complete their subjection. If he had been in sole control, with royal power and title, he would have equalled Alexander in military renown as easily as he outdid him in clemency, self-control, and every other good quality" (Grant, p. 113). Another source which Jonson cites at this point is Dio, *Roman History*, LVII. 18. 6-9, which Jonson cites, for Germanicus's "striking physical beauty" and lack of ambition.

150[-52]. *POMPEI'S dignitie ... temperance*. On the characters of Pompey, Cato, Caesar, and Brutus, Jonson cites Velleius Paterculus, *Roman History* in Lipsius's edition of the *Annals*.

153-54. *Which ... in him*. Briggs noted that this is reminiscent of Claudian, *On Stilicho's Consulship*, I. 33-35, "To all men else blessings come scattered, to thee they flow commingled, and gifts that separately make happy are all together thine" -- Loeb ed. of Claudian, translated by Maurice Platnauer, I (London, 1963), p. 367.

158. *and that they knew*. Jonson cites Tacitus, *Annals*, II. 5: "Tiberius was not sorry that the Eastern situation was disturbed. For this provided a pretext for separating Germanicus from his familiar army and subjecting him to the intrigues and hazards of a new provincial command" (Grant, p. 79); *Annals*, II. 26, during the war with the

Germans in A.D. 16, Germanicus knew "that jealousy was the reason why Tiberius denied him a victory that was already won" (Grant, p. 89); and Dio, *Roman History*, LVII. 18. 9-10, "poison was the means of his carrying off" - a "plot formed by [Gnaeus Calpurnius] Piso and [his wife] Plancina" but supported, it was suspected, "by Tiberius himself."

166[-72]. On Tiberius's and Sejanus's plots against the late Germanicus, Jonson cites Tacitus, *Annals*, II. 43, 55, 57, 77 (Grant, pp. 98, 106, 107, 115, respectively); Suetonius, *Lives*, III. 52: "It is ... believed that he [i.e. Tiberius] arranged for Gnaeus Piso, the Governor of Syria, to poison Germanicus" (Graves, pp. 139-40); and Dio, *Roman History*, LVII. 18. 9-10.

173. *a fine poyson*. Jonson cites Tacitus, *Annals*, II. 69, which mentions Germanicus's "belief that Piso had poisoned him" (Grant, p. 112), and details the "remains of human bodies, spells, curses, lead tables inscribed with the patient's name, charred and bloody ashes, and other malignant objects which are supposed to consign souls to the powers of the tomb" (Grant, p. 112), which were found in the house where Germanicus died; *Annals*, III. 14, which describes Piso's trial before the senate, when Tiberius failed to defend him, and his suicide - or murder (see Grant, pp. 124-25); and Suetonius, *Lives*, IV. (Caligula) 1-2: "Because of the dark stains which covered his body, and the foam on his lips, poison was suspected; significantly, also, they found the heart intact among his bones after cremation - a heart in poison is supposedly proof against fire" (Graves, p. 153). *Ibid.*, 2: "According to the general verdict, Tiberius craftily arranged Germanicus' death with Gnaeus Piso and his intermediary and agent" (Graves, p. 154). See also Suetonius' statement, quoted in I. 166-72, above.

175. [*Enter Sejanus*]. Jonson cites the chief sources: Tacitus, *Annals*, I. 6., especially IV. 1ff.; Suetonius, *Lives*, III; Dio, *Roman History*, LVII-LVIII; Pliny, *Natural History*, VII. 129, VIII. 197; and Seneca, *To Marcia on Consolation*. (Jonson only cites the authors without citing their specific works).

180. *EVDEMVS*. Jonson cites Tacitus, *Annals*, IV. 3: "The plot was communicated to Eudemus, Livilla's friend and doctor, who had professional pretexts for frequent interviews" (Grant, p. 158). His complicity in Drusus's murder was revealed under torture, following a report by Apicata, Sejanus's wife (*Annals*, IV. 11, Grant, pp. 162-3). According to Pliny, *Natural History*, XXIX. 8, 20, not cited by Jonson, the relationship between Eudemus and Livia was adulterous.

181. *LIVIA, DRVSVS' wife*. In Roman chronicles she is called Livilla. She was sister of Germanicus and niece of Tiberius, but Jonson keeps silent about the first historical fact.

183. *Fiftie sestertia* (=50,000 sesterces). Jonson, citing G. Budé, *de Asse*, II. p. 64, [i.e. vol. II, *Omnia Opera* (Basle, 1557)], notes that this represents £375 in his day.

199-201. *When men ... liuing*. Gifford cites Juvenal, *Satires*, VIII. 83-84:

The worst sin still is to choose survival before honour'
To lose what gives life its value for the sake of saving your skin.
(Juvenal, *op. cit.*, translated by Peter Green, p. 180)

202. *SEIANVS*. On Sejanus's character, conduct, and power, Jonson cites Tacitus, *Annals*, IV. 1-2 (see below, notes to I. 212ff. for the relevant passages); and Dio, *Roman History*, LVII. 22. 1-4 (for the poisoning of Drusus, Sejanus's schemes against Agrippina and her sons, and his ambition for supreme power).

213. *CAIVS*. On Caius Caesar, Jonson cites Tacitus, *Annals*, IV. 1 (see note I. 57-58 above - Grant, p. 157).

214[-16]. (Arruntius's speech about Sejanus). Jonson cites Tacitus, *Annals*, IV. 1: "Sejanus was born at Vulsinii. His father, Lucius Seius Strabo, was a Roman knight. After increasing his income - it was alleged - by a liaison with a rich debauchee named Marcus Gavius Apicius, the boy joined, while still young, the suite of Augustus' grandson Gaius Caesar" (Grant, p. 157); and Dio, *Roman History*, LVII. 19. 5 - the epicure Apicius spent his fortune on self-indulgence and, with only 100,000 sesterces left, "became grief-stricken, feeling that he was destined to die of hunger, and took his own life."

217. *the second face*. Jonson acknowledges indebtedness to Juvenal, *Satires*, X. 63:

That face only yesterday ranked
Second in all the world.

(*The Sixteen Satires*, translated by P. Green, p. 207)

220 [218-37]. (Sabinus's speech about Sejanus and Silius's speech about the same). Jonson cites Tacitus, *Annals*, IV. 2., which the dramatist rearranges: "The command of the Guard had hitherto been of slight importance. Sejanus enhanced it by concentrating the Guard in one camp. ... His pretexts were, that scattered quarters caused unruliness; that united action would be needed in an emergency; and that a camp away from the temptations of the city would improve discipline [corresponding to ll. 225-33]. When the camp was ready, he gradually insinuated himself into the men's favour. He would talk with them addressing them by name [corr. to ll. 235-37]. And he chose their company- and battalion-commanders himself [l. 221]. Senators' ambitions, too, he tempted with offices and governorships for his dependants [corr. to ll. 220-23].

"Tiberius was readily amenable, praising him in conversation - and even in the senate and Assembly - as 'the partner of my labours', and allowing honours to his statues in theatres, public places, and brigade headquarters" [corr. to ll. 218-19]. At lines 225 and 238, Jonson turns to Dio, *Roman History*, LVII. 19, but the debt in this passage is more to Tacitus than to Dio.

225. *One, and his house*. Jonson cites the same passage by Dio which he cites in his previous note. Briggs compares Claudius, *In Rufinum*, I. 193-94 (see H. & S., IX. p. 602n.).

234, 237 Jonson cites Tacitus (the same citation of the previous note).

238. Jonson cites Dio of a previous note.

244-49. Coleridge, *Works*, ed. Shedd (New York, 1853), IV, 190. Following Coleridge, Briggs and Barish claim that these lines are anachronistic in the mouth of the republican Arruntius. But Philip Ayres argues against this point, believing that Arruntius was not a republican at this time (A.D. 23). By A.D. 37, as Tacitus records in his *Annals*, Arruntius's views were purely republican, as his last speech before the senate shows (see *Annals*, VI. xlviii. Grant, p. 225).

249. *they are three*. In his marginal note, Jonson names them as Nero, Drusus, and Caligula. Tacitus, IV. 12. reports that since Sejanus's murder of Drusus Senior passed unnoticed, the favourite planned to murder Germanicus's three sons. "To poison all three," Tacitus reports, "was impracticable" (Grant, p. 163).

[251-] 252. *The heart ... present*. Jonson cites Tacitus, *Annals*, IV. 3, on Sejanus's forward planning: "... Sejanus' ambitions were impeded by the well-stocked imperial house... Subtlety required that the crimes should be spaced out: it would be unsafe to strike at all of them simultaneously. So subtle methods prevailed. Sejanus decided to begin with Drusus" (Grant, p. 158).

265. *Your Fortune's made*. On the remark made by Satrius to Eudemus that the latter will prosper out of his service to Sejanus, Jonson cites Terentius's defence of his friendship with Sejanus in which the idea of reward and punishment by Sejanus to those who favour and those who oppose him is underlied: Tacitus, *Annals*, VI. 8: (see Grant, pp. 203-4).

279. *LIVIA*. On Germanicus's sister, the wife of Drusus, grand-niece of Augustus, Jonson cites Tacitus, *Annals*, IV. 3. which mentions her beauty, and how easily she was won to Sejanus's purposes. There is no reference in Jonson's play, however, to the relation between Livia and Germanicus. Jonson's objective behind ignoring this historical fact is to dissociate the Germanicans from any relation with evil persons.

291. *AVGVSTA*. On Livia, mother of Tiberius, widow of Augustus, Jonson cites the chief sources: Tacitus, *Annals*, I-V; Suetonius, *Lives*, III., Dio, *Roman History*, LVII-LVIII.

291. *VRGVLANIA*. Favourite of Augusta, as Jonson notes, citing Tacitus, *Annals*, II. 34 and IV. 21-22, which give example of her influence.

292. *MVTILIA PRISCA*. An adulteress with Julius Postumus, as Jonson notes, citing Tacitus, *Annals*, IV. 12.

292. *PLANCINA*. Wife of Gnaeus Calpurnius Piso, as Jonson notes, citing Tacitus, *Annals*, II., III., and IV. (see note to ll. 66-72 above).

300. *onely cabinets* (=repositories). Jonson, silently following Lipsius's copy of the *Annals*, cites Tacitus, *Annals*, IV. 3. on the pretext for intimate discussions afforded to physicians: "The plot was communicated to Eudemus, Livilla's friend and doctor, who had professional pretexts for frequent interviews" (Grant, p. 158), and Pliny, *Natural History*, XXIX. i, "medicine became more famous even through sin" -- Loeb ed., translated by W. H. S. Jones (*et al*), VIII (London, 1963), cited by Philip Ayres, *op. cit.*, p. 96n.

307-10. As Philip Ayres points out (*op. cit.*, p. 97n.), this echoes Martial, *Epigrams*, IX. 37 3-5: "you lay aside your teeth at night, just as you do your silk dresses, and you lie stored away in a hundred caskets, and your face does not sleep with you" -- Loeb ed., translated by W. C. A. Ker, II, (London, 1950), p. 99.

340. *loue to LIVIA*. Jonson cites Tacitus, *Annals*, IV. 3: "The plot was communicated to Eudemus" (Grant, p. 158).

350. *SEIANVS' loue*. Jonson cites the previous source, namely, Tacitus, *Annals*, IV. 3, where it is claimed that it was the death of Drusus, not love, that interested Sejanus.

363-5. (On Fortune). Briggs cites Lucan, *Pharsalia* or *The Civil War*, V. 581-3: "Fortune treats [Caesar] scurvily when she comes merely in answer to his prayer" -- Loeb ed., translated by J. D. Duff (London, 1969), p. 283.

367[-8]. *These fellows ... the power*. Jonson cites Tacitus, *Annals*, IV. 3, (cited earlier), on the pretext for intimate discussions afforded to physicians; and Pliny, *Natural History*, XXIX. i. Philip Ayres cites XXIV. viii. as more to the point on the charges of doctors' criminal practices (p. 99n.).

375. *We not endure*. On Tiberius's alleged hatred of flattery, Jonson cites Tacitus, *Annals*, I. 72: "Tiberius refused the title 'Father of his Country'. He also declined the senate's proposal that obedience should be sworn to his enactments" though "he did not convince people of his Republicanism" (Grant, p. 73); *Annals*, IV. 6, senators's "lapses into servility were arrested by the emperor himself" (Grant, p. 160); Suetonius,

Lives, III. 27: "Such was his hatred of flatterers that he refused to let senators approach his litter, whether in greeting or on business; and one day, when an ex-Consul came to apologize for some fault and tried to embrace his knees in suppliant fashion Tiberius retreated so hurriedly that he tumbled over backwards. ... Once, when addressed as 'My Lord and Master', he gave warning that no such insult must ever again be thrown at him. Another man referred to 'your sacred occupations', and a third that he had approached the Senate by his authority'; Tiberius made them change these words to 'your laborious occupations' and 'his advice'". (Graves, p. 129). The same incident quoted above and concerning the ex-consul (Haterius) in A.D. 14 is reported by Tacitus, *Annals*, I. 13, to which Jonson also refers. (See Grant, p. 41).

381-83. The source for these lines is Juvenal, *Satires*, IV. 70-71:

... there is nothing godlike power
Will refuse to believe of itself in the way of commendation.
(*The Sixteen Satires*, translated by P. Green, p. 107)

385-8. On these lines Briggs, (p. 216), comments: "The sense is: It is the most refined sort of concerted trickery known to have your own (private) parasite redeem the reputation that you lose out of public subtlety. Sejanus by uttering [line 379], which the politic Tiberius pretended not to hear, made up for the loss which the latter sustained in refusing the flattery addressed to him by Haterius."

389[-94]. *We must make vp.* (Tiberius's speech). Jonson cites Tacitus, *Annals*, II. 87: Tiberius "severely reproved people who spoke of his occupations as 'divine' and himself as 'master'" (Grant, p. 118); and Suetonius, *Lives*, III. 27 (see 375n. above) and III. 29, where Tiberius tells the senate: "'Let me repeat, gentlemen, that a right-minded and true-hearted statesman who has had as much sovereign power placed in his hands as you have placed in mine, should regard himself as the servant of the Senate; and often of the people as a whole; and sometimes of private citizens, too" (Graves, p. 129).

395. *Rarely dissembled /Prince-like, to the life.* Jonson cites and quotes Tacitus, *Annals*, IV. 71: "Now of all his self-ascribed virtues Tiberius cherished none more dearly than dissimulation" (Grant, p. 192).

405. *those that fell.* Jonson's marginal note names them as Brutus, Cassius, and Cato, etc.

407-9. *Men are deceiu'd ... such a crowne.* Gifford cited Claudian, *On Stilicho's Consulship*, III. 113-15, as Jonson's source of this passage: "He errs who thinks that submission to a noble prince is slavery; never does liberty show more fair than beneath a good king" (translated by Maurice Platnauer, 2 vols. (London, 1922), II, p. 51).

410. *But, when his grace is meerey but lip-good.* On Tiberius's hypocrisy, Jonson cites Dio, *Roman History*, LVII. 1. 1: "his words indicated the exact opposite of his real purpose" (translated by Ernest Cary, 9 vols. (London, 1924), VII, p. 113).

416-17. On these two lines, H. & S., (IX. p. 603n.), cite Plutarch, *De Vitioso Pudore*, 18, describing men easily manipulated by flatterers.

421[-24]. *flattery is midwife unto princes' rage.* Jonson cites Aristotle, *Politics*, V. ix. 6, on the connection between flattery and tyranny. On the influence of informers, Jonson refers the reader to Tacitus, Dio, and Suetonius, '*per totuū*', quotes Suetonius, *Lives*, III. 61, "Special rewards were voted to the informers" under Tiberius (Graves, p. 144), and also quotes Seneca, *On Benefits*, III. xxvi (see I. 28n. above).

427. *palace-rats.* Jonson's marginal note reads: "*Tineas, Soricesque Palatij vocat istos* Sext. Aurel. Victor" (Sextus Aurelius Victor called them moths (or grubs) and rats (or

shrews, mice) of the Palatium, the hilt on which most of the early Roman Emperors had their residences). Philip Ayres traces the phrase "*tineas soriceque palatti*" back to the *Epitome de Caesaribus* (*Sexti Avrelii Victoris Liber de Caesaribus ... et ... Epitome de Caesaribus*, Lipsiae: Teubner (1966), ed. Fr. Richlmayr, p. 167). Jonson also quotes Tacitus, *Histories*, I. 64: a military commander had been "defamed ... by secret charges of which [he] knew nothing" because the same defamer had publicly praised him (Philip Ayres, *op. cit.*, p. 103n.).

437-8. *Of all ... flatterer*. H. & S., (IX. p. 603n.), note three different attributions of this saying, all in Plutarch, *De Adulatore et Amico*, xix - to Bias ("How to tell a Flatterer from a Friend", 19) and to Thales and Pittacus ("The Dinner of the Seven Wise Men," 2).

441 [440-46]. *And it is fit ... unto us*. Jonson cites Suetonius, *Lives*, III. 29: "Tiberius showed an almost excessive courtesy when addressing individual senators, and the House as a body" (Graves, p. 129). See also note on I. 389-94 above, Graves, p. 129. Jonson also cites Dio, *Roman History*, LVII. 7. 1-6, where Tiberius's deference to the senate is acknowledged.

454[-502]. *Yet, for the suite ... contempt of virtue*. Jonson cites and closely quotes Tacitus, *Annals*, IV. 37-38:

"This was the time when Farther Spain sent a delegation to the senate, applying to follow Asia's example and build a shrine to Tiberius and his mother. Disdainful of compliment, Tiberius saw an opportunity to refute rumours of his increasing self-importance. 'I am aware, senators,' he said, 'that my present opposition has been widely regarded as inconsistent with my acquiescence in a similar proposal by the cities of Asia. So I will justify both my silence on that occasion and my intentions from now onwards.

"The divine Augustus did not refuse a temple at Pergamum to himself and the City of Rome. So I, who regard his every action and word as law, followed the precedent thus established - the more readily since the senate was to be worshipped together with myself. One such acceptance may be pardonable. But to have my statue worshipped among the gods in every province would be presumptuous and arrogant. As for myself, senators, I emphasize to you that I am human, performing human tasks, and content to occupy the first place among men.

"That is what I want later to remember. They will do more than justice to my memory if they judge me worthy of my ancestors, careful of your interests, steadfast in danger and fearless of animosities incurred in the public service. Those are my temples in your hearts, those my finest and most lasting images. Marble monuments, if the verdict of posterity is unfriendly, are mere neglected sepulchres. So my requests to provincials and Roman citizens, and heaven, are these. To heaven - grant me, until I die, a peaceful mind and an understanding of what is due to gods and men. To mortals - when I am dead, remember my actions and my name kindly and favourably" (Grant, pp. 175-76). The concluding line in Tiberius's speech is taken from Tacitus's own comment on the emperor's rejection of veneration. The historian quotes this maxim "'Contempt for fame means contempt for goodness.'" (Grant, p. 176).

465. *We, that haue ... observed*. Jonson cites Strabo, *Geography*, VI. iv. 2: "Tiberius ... is making Augustus the model of his administration and decrees." -- Loeb ed., translated by H. L. Jones, III (London, 1967) -- cited by Philip Ayres (ed.), *Sejanus*, p. 105n.

508, 509. Jonson, in his marginal note, explains "*Fortuna Equestris*" by referring to the statue of Equestrian Fortuna, erected at Antium and which was donated by the Roman Knights as an offering for the dowager empress' health. On the choice of Antium for the statue, Jonson cites Tacitus, *Annals*, III. 71. (See Grant, p. 153). Another reference to the statue of Fortuna in Antium is in Horace, *Odes*, I. 35, 1:

Goddess Fortuna, ruler of pleasant Antium.
(Horace, *The Complete Odes and Epodes*, translated by W. G. Shepherd, p. 98).

511[-13]. Jonson cites Tacitus, *Annals*, III. 72:

"At about this time Marcus Aemilius Lepidus (IV) asked the senate's leave to strengthen and beautify, at his own expense, the Hall that was the family monument of the Aemilli, built by Lucius Aemilius Paullus (II). For public munificence was still fashionable. Augustus had allowed enemy spoils, or great resources, to be devoted by Titius Tatilius Taurus (I), Lucius Marcius Philippus, and Lucius Cornelius Balbus (II) to the adornment of Rome for the applause of posterity. Now Lepidus, though of moderate means, followed their example by repairing his family memorial. When, however, the Theatre of Pompey was accidentally burnt down, Tiberius undertook to build it himself on the grounds that no Pompeius had the means to do so; but its name was to remain unchanged.

"Tiberius commended Sejanus' energy and watchfulness in preventing the fire from spreading beyond Pompey's Theatre; and the senate voted that his statue be erected there" (Grant, pp. 153-54).

514[-17]. Jonson cites Tacitus, *Annals*, III. 69: Tiberius proposed to the senate that "since Gyaros was a grim, uninhabited island, Silanus - as a concession to his Junian family and former membership of the senate - should be allowed to retire to Cythnos instead. This had been requested, he added, by Silanus' sister Junia Torquata, a priestess of Vesta and a woman of old-fashioned saintliness" (Grant, p. 152).

516. *religious sister*. Jonson's marginal note reads: "*Torquata virgo vestalis, cuius memoriam seruat marmor Romae*" and refers the reader to Lipsius's comment on Tacitus.

518[ff.] *for the honours*. Jonson cites Tacitus, *Annals*, III. 72: "Tiberius commended Senjanus' energy and watchfulness in preventing the fire from spreading beyond Pompey's Theatre; and the senate voted that his statue be erected there" (Grant, p. 154).

528[-29]. *thou great aide*. Jonson cites Tacitus, *Annals*, IV. 11: Tiberius praised Sejanus "in conversation, as 'the partner of my labours'" (Grant, p. 158).

542[-45]. Jonson refers the reader to Seneca, *To Marcia on Consolation (Ad Mariam de Consolatione)*, XXII. iv-v: "Cordus exclaimed: 'Now the theatre is ruined indeed!' What! Was it not to burst with rage - to think of Sejanus planted upon the ashes of Gnaeus Pompeius, a disloyal soldier hallowed by a statue in a memorial to one of the greatest generals?"

548[-59]. Jonson cites Tacitus, *Annals*, IV. 3 (on Drusus's enmity towards Sejanus) and IV. 7:

"Moreover, there was an alarming potential avenger in Drusus, who openly showed his hatred and repeatedly complained that the emperor, though he had a son, went elsewhere for his collaborator. Soon, Drusus reflected, the collaborator would be called a colleague - the first steps of an ambitious career are difficult, but once they are achieved helpers and partisans emerge. 'Already Sejanus had secured this new camp - where the Guard are at the disposal of their commander. His statue is to be seen in Pompey's Theatre. The grandson of us Drusus will be his grandson too. What can we do now except trust his moderation and pray he will be forbearing?' Drusus often talked like this and many heard him. But even his confidences were betrayed by his wife - to her lover" (Grant, pp. 160-61).

552. *Allow him statues?*. Jonson cites Tacitus, quoted in the previous note.

565[ff.]. *Take that.* Jonson cites Tacitus, *Annals*, IV. 3: "For Drusus, violent-tempered and resentful of a rival, had raised his hand against him [i.e. Sejanus] during a fortuitous quarrel and, when Sejanus resisted, had struck him in the face." (Grant, p. 158). Tacitus's account of this story is in agreement with Jonson's dramatic account. The dramatist, in his marginal notes, points out that he follows Tacitus and Dio, but reveals that he has departed from the latter who gives a different version of the story, claiming that it was Sejanus who first struck Drusus. Jonson's decision to follow Tacitus in assigning the first blow to Drusus and not to Sejanus (as in Dio) serves a dramatic purpose in showing the favourite a more wily and calculating antagonist than the apparently rash, and less practical, Drusus who falls an easy victim of his own over-enthusiasm. It is worth noting that Lipsius also follows Tacitus's account of this incident and defends it against Dio's own: "Seianum non tam proruptâ audaciâ fuisse crediderim, vt vltro verberararit Principis Romani filium, Tribuniciâ potestate, & imperij consortem: & conuenit majis in mores Drusi, cui aded promptae ad verba manus, vt hâc de causâ Castor sit cognominatus, teste Dione ipso lib LVII" (Lipsius, p. 107, n.12) -- Quoted by Daniel C. Boughner, "Jonson's Use of Lipsius in *Sejanus*," *MLN*, 73 (1958), p. 252n.). Dio's full account of this incident is quoted by Jonas A. Barish, *op. cit.*, p. 189: "It appears that Sejanus, puffed up by his power and rank, in addition to his other overweening behaviour, finally turned against Drusus and once struck him a blow with his fist. As this gave him reason to fear both Drusus and Tiberius, and as he felt sure at the same time that if he could once get the young man out of the way, he could handle the other very easily, he administered poison to the son through the agency of those in attendance upon him and of Drusus' wife, whom some call Livilla; for Sejanus was her paramour" (Dio, *Roman History*, LVII. 22, ed. Earnest Cary, Loeb ed., VII (London, 1924), 175).

571. *the Crosse.* Jonson, in a marginal note, describes this as an ignominious death, punishment of slaves, citing various authorities such as Livy, Tacitus, Dio, Plautus, Horace, Petronius, [*Satyricon*], Juvenal, [*Satires*], VI, and others, all taken silently from Lipsius's notes.

575. *A Castor.* Jonson cites Dio, *Roman History*, LVII. 14. 9: "he was so given to violent anger that he inflicted blows upon a distinguished knight, and for this exploit received the nickname of Castor." Castor was a famous gladiator of that time.

576-9. Briggs points out that, in these lines, Jonson echoes Seneca, *Medea*, 150-54: "Who'er has dumbly borne hard blows with patient and calm soul, has been able to repay them; it is hidden wrath that harms; hatred proclaimed loses its chance for vengeance." Loeb ed., translated by F. J. Miller (London, 1961).

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9. *this position.* Jonson cites Tacitus, *Annals*, IV. 3: "[Sejanus] incited [Livia] to hope for marriage, partnership in the empire, and the death of her husband" (Grant, p. 158). See also *Annals*, IV. 8: "Sejanus ... chose a poison with gradual effects resembling ordinary ill-health" (Grant, p. 161).

12[-14]. *Lygdus ... cup-bearer.* Jonson cites Tacitus, *Annals*, [IV. 8]: The poison "was administered to Drusus ... by the eunuch Lygdus." (Grant, p. 161); and *ibid.*, IV. 10: "Sejanus, after seducing Livilla into crime, similarly corrupted the eunuch Lygdus, whose youthful looks had endeared him to his master's household" (Grant, p. 162).

17. *free accesse and trust.* Briggs compares these lines with Seneca, *Oedipus*, 686: "Through loyalty lies the traitor's way to mischief" (Seneca, *Four Tragedies and Octavia*, translated by E. F. Watling, p. 236).

24. *Send him to me ... work him.* Jonson's note on this line reads: "*Spadomis animum stupro deuinxit. Tac. ibid.*" The source is specifically Tacitus, *Annals*, IV. 10: "Sejanus, after sending Livilla [i.e. Livia] into crime, similarly corrupted the eunuch Lygdus" (Grant, p. 162).

36. *among the lesser lights.* The possible source for this line is Horace, *Odes*, I. 12, 46-48: "As the moon among lesser lights, so the Julian constellation shines above others."

(Horace, *op.cit.*, translated by W. G. Shepherd, p. 81)

42. *Agrippina's fires.* Jonson's note reads: "*Germanici vxor*" (=Wife of Germanicus).

63. *Ceruse.* A white lead cosmetic, as Jonson notes, citing Martial, *Epigrams*, II, 41.

85[-88]. *hath ... pleasure.* Jonson cites Tacitus, *Annals*, IV. 3: "Sejanus encouraged his mistress by sending away his wife Apicata, the mother of his three children" (Grant, p. 158).

89[-90]. *discovery ... counsels.* Jonson cites Tacitus, *Annals*, IV. 7: Drusus's "confidences were betrayed by his wife - to her lover" (Grant, p. 161).

98. *strike the stars.* H. & S., (IX, p. 606n.), compare this with Horace, *Odes*, I. 1. 38: "I shall nudge the stars with my lifted head." (Horace, *op. cit.*, p. 70).

108-10. Jonson cites Tacitus, *Annals*, IV. 8: "Sejanus ... chose a poison with gradual effects resembling ill-health" (Grant, p. 161); and Dio, *Roman History*, LVII. 22. 2: "Drusus ... perished by poison ... administered ... [to him] through the agencies of those in attendance upon him."

108. *so prepare the poison.* Jonson, in a marginal note, cites Tacitus, *Annals*, and Dio, *Roman History*, 57.

137. H. & S., (IX, p. 606n.), point out that this line derives from Ausonius, *Epigrams*, II. 7-8, "Bear good fortune modestly, who'er thou art who from a lowly place shall rise suddenly to riches." -- Loeb ed., translated by H. G. Evelyn White (London, 1961).

140[-41]. *let ... face.* Jonson refers to Juvenal, *Satires*, VI, 159: "in the land where kings /Observe the Sabbath barefoot..." (Juvenal, *op. cit.*, p. 133), and Martial, as his sources on the low esteem of Egyptians in Rome. H. & S., (IX, p. 605n.), cite Virgil, *Georgic*, IV. 210-12.

150-56. Briggs points out that Jonson echoes Seneca, *Thyestes*, 25-27, 44-47, 192-5:

Let loose the Furies on your impious house.
Let evil vie evil, sword with sword
Let anger be unchecked, repentance dumb.

...
Vengeance shall think no way forbidden her;
Brother shall flee from brother, sire from son,
And son from sire; children shall die in shames
More shameful than their birth; ...

...
Awake, my heart,
And do such deeds as in the time to come
No tongue shall praise, but none refuse to tell.
Some black and bloody deed must be attempted,

Such as my brother might have wished were his.
(Seneca, *Four Tragedies and Octavia*, translated by E. F. Watling, Penguin Books
(London, 1966), pp. 46, 53).

157. *Carry the empty name*. Jonson seems to have had in mind the rumour in Rome which suggested that Sejanus had warned Tiberius to be aware of a poisoning attempt by his son Drusus. This contemporary rumour was reported (and refuted) by Tacitus in his *Annals*, IV. 10-11 (see Grant, p. 162).

162. *only Feare*. Jonson cites his classical sources: Petronius Arbiter, *Satyricon*, [III, frag. 27]; and Statius, *Thebaid*, III. 661.

165[ff.]. *When the master Prince*. Jonson's marginal note refers to Suetonius, *Lives*, III. 55, with no specific reference. Briggs, quoted by H. & S., IX. p. 607n., cited the following: Tiberius "had given [Sejanus] plenary powers as being efficient and cunning enough to do what was required of him - namely, to make away with Germanicus' children and ensure that Tiberius' true grandson and namesake should become the next Emperor" (Graves, p. 141).

170-72. Briggs attributes Jonson's indebtedness here to the tyrant's maxims in Seneca, *Thyestes*, 215-18:

MINISTER: Where there is neither shame nor law nor trust
Nor care for sanctity or piety.
ATREUS: Sanctity, piety, trust - are luxuries
For private life. Leave kings to go their own way.
(Seneca, *op. cit.*, pp. 54-55).

173. *State is enough ... them guilty*. Daniel C. Boughner, ("Sejanus and Machiavelli," *SEL*, 1 (1961), p. 91), believes this line echoes Machiavelli, *The Discourses on Livy*, I. 9: It is a sound maxim that reprehensible actions should be justified by their effects, and that when the effect is good ... it always justifies the action. For it is the man who uses violence to spoil things, not the man who uses it to mend them, that is blameworthy" (*The Discourses*, translated by L. J. Walker, Penguin Books, p. 132).

174-75. *Whom ... sov'reignty*. The source here is Seneca, *Oedipus*, 703-4:

No king can rule who is afraid of hatred.
Fear is the sovereign's shield.

(*Ibid.*, p. 236).

Another possible source is Seneca's *Phoenissae*, 654: "To reign he hath no will who feareth to be hated" (Cited by H. & S., *op. cit.*, p. 607n.).

178-87. Briggs discovered an early draft of these lines (*Anglia*, XXXIX, 247-8). They are an adaptation of Lucan, *The Civil War (Pharsalia)*, VIII. 489-95: "The power of kings is utterly destroyed, once they begin to weigh considerations of justice; and regard for virtue levels the strongholds of tyrants. It is boundless wickedness and unlimited slaughter that protect the unpopularity of a sovereign. If all your deeds are cruel, you will suffer for it the moment you cease from cruelty. If a man would be righteous, let him depart from a court. Virtue is incompatible with absolute power. He who is ashamed to commit cruelty must always fear it."

190. *Agrippina*. Jonson's marginal note refers to Dio, *Roman History*, LVII. 5. 6: "Agrippina was the daughter of Agrippa and Julia, Augustus' daughter."

191. *Dangerous*. Jonson cites Tacitus, *Annals*, I. 69: "Sejanus aggravated and intensified [Tiberius's] suspicions" about Agrippina (see Grant, p. 72). Also *Annals*,

IV. 7: "The succession of the children of Germanicus was now certain. So [Sejanus] considered how they could be removed." Sejanus also fed Tiberius's fear that "Agrippina, proud of her large family and relying on her popularity, had designs on the throne" (Grant, p. 163). On the same idea of Tiberius's fear of Agrippina's children, Jonson's source is also Tacitus, *Annals*, IV. 17: "Tiberius, never warm-hearted to the house of Germanicus, was now particularly irritated that these youths should be coupled with himself, at his advanced age" (Grant, p. 166). On Agrippina's popularity, Jonson cites *Annals*, III. 4: "But what upset Tiberius most was the popular enthusiasm for Agrippina" (Grant, pp. 120-21).

193-94. *t'upbraid ... death*. Jonson quotes Tacitus, *Annals*, III. 2: "Indeed everyone knew that Tiberius could scarcely conceal his delight at the death of Germanicus" (Grant, p. 120). Jonson cites *Annals*, III. xvi, on an alleged document "often seen in Piso's hands" which "contained a letter from Tiberius with instructions relating to Germanicus," and to poisoning him. (See Grant, p. 126) Jonson also quotes *Annals*, IV. 1: "Tiberius now began his ninth year of national stability and domestic prosperity (the latter, he felt, augmented by Germanicus' death)" -- (Grant, p. 157).

198-9. Briggs compares the two lines with a quotation in Aristotle, *Rhetoric*, I. xv. 14, translated by H. Rackham, "Foolish is he who, having killed the father, suffers the children to live." Aristotle himself takes the quotation from a Greek proverb (see H. & S., IX. p. 608n.).

206-7. *none ... rest*. Briggs attributes the source here to Velleius Paterculus, *History of Rome*, II. 117. 2: "no one could be more quickly overpowered than the man who feared nothing, and .. the most common beginning of disaster was a sense of security" -- Loeb ed., translated by F. W. Shipley (London, 1967). This also bears similarity with Livy, XXV. 28: "Men are least safe from what success induces them not to fear" Loeb ed., translated by F. G. Moore (London, 1951).

209. Briggs suggests the source is Tacitus, *Histories*, II, 92: "when a man has excessive power, he never can have complete trust." Loeb ed., translated by C. H. Moore (London, 1968).

211. *male-spirited*. Jonson cites Tacitus, *Annals*, I. 33, that "Agrippina herself was determined and rather excitable. But she turned this to good account by her devoted faithfulness to her husband" (Grant, p. 52). Jonson also cites I. 69, (on how Agrippina, "this great-hearted woman acted as commander" when the Romans fearfully expected a German invasion of Gaul. Agrippina, Tacitus reports, averted the Rhine bridge at Vetra from being abolished"), and II. 72 (on Germanicus's advice to Agrippina on his death-bed "to forget her pride ... and to avoid provoking those stronger than herself by competing for their power") -- (Grant, p. 113).

215[-16]. *Hath Caesar*. Jonson cites Tacitus, *Annals*, IV. 17: "Starting with the Pontifical Order, the priestly corporation, included Nero Caesar and Drusus Caesar in their prayers for the safety of the emperor.... But Tiberius warned the senate that in the future the young men's susceptible characters should not be tempted to become conceited by premature distinctions" (Grant, pp. 165-66).

223. *Niece*. As Jonson's marginal note shows, granddaughter of Augustus, daughter of Agrippa, and wife of Germanicus. Jonson cites Suetonius, *Lives*, III., 64.

226. *her fruitfulness*. Jonson cites Tacitus, *Annals*, II. 43 and IV. 12, regarding her "fecunditas." Besides her three sons, Agrippina had three daughters.

236-37. *with hope Of future freedom*. Jonson quotes Tacitus, *Annals*, II. 82: "So it was true what men said about Nero Drusus, that rulers do not like affability in their sons! Germanicus and Nero Drusus had been struck down precisely because they had

planned to give Romans back their freedom, with equal rights for everyone" (Grant, p. 116).

244[-47]. *We will ... factions.* Jonson cites Suetonius, *Lives*, III. 54: Tiberius "recommended Nero and Drusus, the eldest of Germanicus' sons, to the Senate; and celebrated their coming-of-age ceremonies by giving largesse to the populace. But when he found that, at the New Year celebrations, prayers for their safety were being added to his own, he asked the Senate to decide whether this was a proper procedure; ... After this he made no secret of his dislike for the young pair and arranged that all sorts of false charges should be brought against them" (Graves, pp. 140-41).

257-59. Gifford suggests an adaptation from Juvenal, *Satires*, VI. 284-5:

For sheer effrontery, nothing
Can beat a woman caught in the act; her very
Guilt adds fresh fire to her fury and indignation.
(Juvenal, *op. cit.*, translated by Peter Green, p. 137).

262[-65]. *Give ... Fautors.* Jonson cites Tacitus, *Annals*, IV. 17-18: Sejanus protested to Tiberius of the increasing popularity of Germanicus' sons; he advised Tiberius that "the deepening disunity [between factions in Rome] could only be arrested if some of the ringleaders were removed" (Grant, p. 166).

273. *wolves ... hearts.* A Greek proverb, ascribed to Arsenius in *Corpus Paroemiographorum Graecorum*, ed. E. L. Leutsch and F. G. Schneidewin (Hildesheim, 1958); orig. publ. 1839, 1851), II. 558, item 66. See Philip Ayres, *op. cit.*, p. 127n.

277-78. *The ... acts.* The source of these lines is Seneca, *Thyestes*, 205-7:

ATREUS: Of the advantages of monarchy
The greatest is the subjects are compelled
Not only to endure but to approve
Their master's actions.
(Seneca, *op. cit.*, p. 54).

278[-79]. *We can no longer ... Sejanus.* Jonson cites Tacitus, *Annals*, IV. 1: "... by various devices [Sejanus] obtained a complete ascendancy over Tiberius. To Sejanus alone the otherwise cryptic emperor spoke freely and unguardedly. This was hardly due to Sejanus' cunning; in that he was outclassed by Tiberius" (Grant, p. 157). Jonson also cites Dio, *Roman History*, LVII.

285-95. *First ... the rest.* The source is Tacitus, *Annals*, III. 45-56, which describe Silius's victory in A.D. 21 over the Aedui, led by Sacrovir, in eastern Gaul. Jonson's source is also *Annals*, IV. 18: "Sejanus [not Tiberius, as Ayres, *op. cit.*, p. 129n. points out] attacked Gaius Silius (I) and Titius Sabinus. They both owed their ruin to Germanicus' friendship. Silius had also been head of a great army for seven years, winner of an honorary Triumph in Germany, conqueror of Sacrovir. So his downfall would be the more spectacular and alarming" (Grant, p. 166).

284. *clickt all the marble Thumbs.* Jonson cites various authorities such as Horace, *Epistles*; Pliny, *Natural History*; and others.

288. *commanded an imperial armie.* Jonson cites Tacitus, *Annals*, III. and IV. [19].

296[-97]. *Sabinus ... ripe.* Jonson cites Tacitus, *Annals*, IV. 19: "Titius Sabinus could wait a little" (Grant, p. 166).

300. *Socia ... wife*. Jonson cites Tacitus, *Annals*, IV. 19: "The emperor also disliked Silius' wife Socia Galla, because she was a friend of Agrippina. So Sejanus decided that this couple should be the victims" (Grant, p. 166).

303-4. *Crementius Cordus*. Jonson refers the reader to the same sources (excluding Suetonius) which he cites for I. 73 (i.e. Tacitus and Dio).

313-16. As Ayres notes, (*op. cit.*, p. 129n.), these lines echo the famous words of Caesar to the tribune Metellus: "The course of time has not wrought such confusion that the laws would not rather be trampled on by Caesar than saved by Metellus" -- Lucan, *Pharsalia* or *The Civil War*, III. 138-40.

323-24. *where ... can be*. Briggs suggests that the source is Tacitus, *Histories*, I. 21: "a man must not delay when activity is more ruinous than rash action."

328. Jonson cites Tacitus, *Annals*, I. 7: "Even the edict with which he summoned the senate to its House was merely issued by virtue of the tribune's power which he had received under Augustus" (Grant, p. 35).

330. (*The Greek line*). Jonson cites Dio, *Roman History*, LVIII. 23. 4: "he is said to have uttered frequently that old sentiment: 'When I am dead, let fire o'erwhelm the earth.'" Milton translated the anonymous line in *Reason of Church Government*, I. v.

331. *Julius Postumus*. Jonson cites Tacitus, *Annals*, IV. 12: one of Sejanus's "skilful slanderers" "whose adulterous liaison with Mutilia Prisca made him a close friend of the Augusta and particularly apt for Sejanus' purposes; for Prisca had great influence over the old lady" (Grant, p. 163).

342[-43]. *t'extol ... lady*. Jonson quotes Tacitus, *Annals*, IV. 12: "... Agrippina's closest friends were induced to accentuate her restlessness by malevolent talk" (Grant, p. 163).

349. *Your kindest friend*. In his marginal note, Jonson identifies this as Mutilia Prisca, citing Tacitus, *Annals*, IV. 12. (See Grant, p. 163).

350[-51]. *the words ... Silius*. See note III. 272-82, below (Tacitus, *Annals*, IV. 18, which Jonson cites here as well).

356-60. *say ... Caesar*. In his marginal note on line 357, Jonson cites Tacitus, *Annals*, IV. 12: Sejanus caused Augusta and Livia to "notify Tiberius that Agrippina, proud of her large family and relying on her popularity, had designs on the throne" (Grant, p. 163).

369-70/[2]. *our ... party*. Jonson cites Tacitus, *Annals*, IV. 17: "Sejanus ... declared that Rome was split asunder as though there was civil war: people were calling themselves 'Agrippina's party' - the deepening disunity would only be arrested if some of the ringleaders were removed" (Grant, p. 166). As Jonas Barish comments, this is "an interesting instance of Jonson's taking a detail from one context and placing it in another. In Tacitus, Sejanus issues these warnings to Tiberius directly, in order to stir him to take harsh measures against Germanicus' sons. Here he more craftily and circuitously sends them to the emperor through two intermediaries, one of them the emperor's still influential mother" (Barish, *op. cit.*, p. 190n.).

394[-98]. *Germanicus' ... was*. Jonson cites and partly quotes from Tacitus, *Annals*, IV. 12: "The succession of the children of Germanicus was now certain. So he [i.e. Sejanus] considered how they could be removed."

"To poison all three was impracticable, since their attendants were loyal - and the virtue of their mother Agrippina unassailable" (Grant, p. 163).

408. *there are others.* Jonson's note mentions them as Silius and Sabinus.

411. *They hunt, they hunt.* Jonson's note gives the source of this metaphor: Tacitus, *Annals*, IV. 30: "that breed created for the country's and never sufficiently penalized, the informers, kept their incentive" (Grant, p. 172).

418, 420[-23]. Jonson cites and in part quotes Tacitus, *Annals*, IV. 52: Gnaeus Domitius Afer, the prosecutor of Claudia Pulchra, was "ready to commit any crime for advancement" (Grant, p. 183). "Afer became a leading advocate. His talents had been seen; and Tiberius had commented that he was a born speaker" (Grant, p. 184). Later, Afer accused Quinctilius Varrus, Claudia Pulchra's son who was a wealthy relative of Tiberius (see Grant, p. 189).

437[-38]. Jonson cites Tacitus, *Annals*, IV. 19: "The emperor ... disliked Silius' wife Socis Galla, because she was a friend of Agrippina" (Grant, p. 166).

442[-48]. Jonson cites Tacitus, *Annals*, IV. 12 (see II. 342-43n.).

462[-69]. Jonson cites Tacitus, *Annals*, IV. 12 and IV. 54 and 59, which refer to the spying on Agrippina by Sejanus's informers.

472[-74]. *They ... Germanicus.* Jonson cites Suetonius, *Lives*, III. 52: Tiberius "described Germanicus' glorious victories as wholly ineffective, and far more than the country could afford; so little affection did he feel for him" (Graves, p. 139); and Dio, *Roman History*, LVII. 18. 6: "At the death of Germanicus Tiberius and Livia were thoroughly pleased."

476. This is a proverbial maxim - 302 of Publilius Syrus. (Cited by H. & S., IV. p. 611n.).

479. *Drusus is dying.* Jonson cites Tacitus, *Annals*, IV. 3-12. (For the death of Drusus, *Annals*, IV. 8, see Grant, p. 161).

485. Jonson cites Tacitus, *Annals*, IV. 3-12. (Sejanus "chose a poison with gradual effects resembling ordinary ill-health" -- Grant, p. 161).

494. *the Senate sit.* Jonson cites Tacitus, *Annals*, IV. 8: "All through his son's illness, Tiberius attended the senate... Even when Drusus had died and his body was awaiting burial, Tiberius continued to attend" (Grant, p. 161). "The consuls sat on ordinary benches as a sign of mourning" (Grant, p. 161).

ACT THREE

1[-6]. Jonson cites Tacitus, *Annals*, IV. 19: "The consul Lucius Visellius Varro was set in motion, and with his father's feud against Silius as a pretext sacrificed his own honour to gratify Sejanus' enmity" (Grant, p. 166). For the origin of the feud between Varro's father and Silius, see Tacitus, *Annals*, III. 43 (Grant, p. 140).

5. *Your ... and his [him].* H. & S. comment on this line as follows: "In ancient Rome, where there was no class of professional advocates taking fees, and where any citizen might come forward as prosecutor or defender, cases of collusions were not infrequent. Hence Roman writers often lay stress on the personal hostility of the prosecutor as a proof of his sincerity" (H. & S., *Ben Jonson*, IX, p. 611n.).

[11]-12. *And ... treason.* Jonson cites Tacitus, *Annals*, IV. 19: "In extortion they [i.e. Silius and Socia] were undoubtedly both involved. But the case was conducted as a

treason trial" (Grant, p. 167). Earlier in the *Annals*, in III. 37, Tacitus reports how under Tiberius any criminal accusation generally developed into a charge of treason, and he gives the case of Caesius Cordus as an example (See Grant, p. 138).

25. *so low?* Jonson quotes Tacitus, *Annals*, IV. 8: "The consuls sat on ordinary benches as a sign of mourning" (Grant, p. 161).

28[-29] *Fathers Conscript*. Jonson cites Barnabé Brisson, *De Formulis et Sollemnibus Populi Romani Verbis* (Paris, 1583), Book II. See F. F. Abbott, *A History and Description of Roman Political Institutions*, 3rd edn. (Boston, 1911), p. 227: "the presiding officer ... began with the formula: *quod bonum felixque sit populo Romano Quiritium, referimus ad vos, patres conscripti*" - "may this a good and happy matter to the Roman people which we lay before you, senators". "Conscript Fathers" was a term used when addressing senators.

36[35-81]. Jonson cites Tacitus, *Annals*, IV. 8: "The consuls sat on ordinary benches as a sign of mourning. But [Tiberius] reminded them of their dignity and rank. The senators wept. But he silenced them with a consoling oration. 'I know', he said, 'that I may be criticized for appearing before the senate while my affection is still fresh. Most mourners can hardly bear even their families' condolences - can hardly look upon the light of day. And that need be censured as weakness. I, however, have sought sterner solace. The arms in which I have taken refuge are those of the State.'

"After referring sorrowfully to the Augusta's great age, his grandson's immaturity, and his own declining years, he said that the sons of Germanicus were his only consolation in his grief; and he requested that they should be brought in. The consuls went out, reassured the boys, and conducted them before Tiberius. He took them by the hand, and addressed the senate. 'When these boys lost their father', he said, 'I entrusted them to their uncle Drusus, begging him - though he had children of his own - to treat them as though they were his blood, and, for posterity's sake, to fashion them after himself. Now Drusus has gone. So my plea is addressed to you. The gods and our country are its witness.

"Senators: on my behalf as well as your own, adopt and guide these youths, whose birth is so glorious - these great-grandchildren of Augustus. Nero and Drusus Caesars: these senators will take the place of your parents. For, in the station to which you are born, the good and bad in you is of national concern" (Grant, p. 161).

78. *these shalbe to you*. Jonson cites Tacitus, *Annals*, IV. [8], quoted in the previous note.

84-5. *Let .. by birth*. The source of this expression is Claudian, *On Stilicho's Consulship*, II. 317-18. H. & S., (IX. p. 612n.), point out that Jonson quotes this expression in *Haddington Masque*, 229.

87. *no ... themselves*. Briggs points out that the source is Seneca, *Hercules Furens*, 84-5: "Dost then seek Alcides' match? None is there save himself" - Translated by F. J. Miller, Loeb ed. of *Senecan Tragedies*, I. ii. (Briggs, "Source Material ...", p. 329).

92-4. Ayres suggests the source is Brisson, *De formulis* (III. 28-9n.) -- (Ayres, *Sejanus*, p. 145n.).

112[-27]. Jonson cites and quotes in part from Tacitus, *Annals*, IV. 9: "This speech was greeted by loud weeping among the senators, followed by heatful prayers for the future. Indeed, if Tiberius had stopped there, he would have left his audience sorry for him and proud of their responsibility. But by reverting to empty discredited talk about restoring the Republic and handing the government to the consuls or others, he undermined belief even in what he had said sincerely and truthfully" (Grant, pp. 161-62).

123. *that charm*. Jonson cites and quotes in part from Suetonius, *Lives*, III. 69: Tiberius "lacked any deep regard for the gods or other religious feelings, his belief in astrology having persuaded him that the world was wholly ruled by fate. Yet thunder had a most frighetening effect on Tiberius: whenever the sky wore an ugly look he would put on a laurel wreath which, he supposed, would make him lightning-proof" (Graves, p. 149). Jonson also cites Pliny, *Natural History*, XV. xl: "the laurel alone ... is never struck by lightning."

140. *be glad*. Jonson cites Tacitus, *Annals*, I.

142-44. *Caesar ... innocence*. Jonson marginally notes, "Another form" of addressing the emperor.

154. *Afer*. This is one of Jonson's rare departures from the accuracy of historical records. Afer was in fact the prosecutor of other accused citizens but not of Silius.

155. *Caius Silius*. Jonson refers the reader to B. Brisson, *op. cit.* V.

[169-]73. *Am I ... crimes*. In his note on line 173, Jonson refers the reader, without specific references, to Suetonius, *Lives*; Tacitus, *Annals*; Dio, *Roman History*; and Seneca, *On Benefits*.

181-90. *I do ... state*. Tacitus, *Annals*, IV. 19: "The prosecution developed its case - longstanding connivance with Sacrovir and cognizance of his rebellion; victory ruined by rapacity; failure to check his wife's criminal acts. In extortion they were undoubtedly both involved. But the case was conducted as a treason trial" (Grant, p. 167). It is worth noting, of course, that Jonson keeps silent about the extortion charge altogether. Jonson gives a marginal note on line 182, (*First, of beginning*), citing Tacitus, *Annals*, IV., already quoted.

183. *Gallia*. Jonson's marginal note reads: "For Sacrovir's war in Gallia and his Triumph in Germany, see Tacitus, *Annals*, III.

192[-94] *If I not proue it*. Jonson cites Brisson, *De formulis*, V.

197-208. Jonson cites and partly quotes Tacitus, *Annals*, IV. 19: "When accused, Silius requested a brief adjournment until the accuser's consulship should end. But Tiberius opposed this, arguing that officials often proceeded against private citizens, and that there must be no limitation of the rights of consuls, on whose watchfulness it depended 'that the State takes no harm.' It was typical of Tiberius to use antique terms to veil new sorts of villainy" (Grant, p. 166). Jonson, in a marginal note on line 203, cites Tacitus, *Annals*, the same passage already quoted.

231-32. *I can ... me*. Tacitus, *Annals*, IV. 19: Silius, "attempting some sort of a defence, ... made it clear whose malice was ruining him [i.e. Sejanus's]" (Grant, p. 167).

238. *To gratifie it*. Jonson cites Tacitus, *Annals*, IV. (quoted in the previous note).

255. *When ... day*. A possible source is Seneca, *Medea*, 768: "the bright day has come back ...; Phoebus has halted in mid-heaven" (Cited by James A. Riddell, "Seventeenth-Century Identifications of Jonson's Sources in the Classics", *Renaissance Quarterly*, XXVIII (1975), 207).

256-57. H. & S., (IX. p. 613n.), compare these lines with Juvenal, *Satires*, XIII. 164-65: "A blond and blue-eyed German is something we don't look twice at ..." (Juvenal, *op. cit.*, p. 255).

261. *curl'd Sicambrians*. Jonson cites and partly quotes Martial, *Epigrams*, 'On the Spectacles', iii.

272[-8], [288-91], [305-8]. Jonson cites Tacitus, *Annals*, IV. 18: "Many thought that he had aggravated his offence by imprudence. For he had boasted excessively of his own army's unbroken loyalty when others had lapsed into mutiny. 'If the revolt had spread to my brigades, he said, 'Tiberius could not have kept the throne.' The emperor felt that these assertions of an obligation beyond all recompense damaged his own position. For services are welcome as long as it seems possible to repay them, but when they greatly exceed that point they produce not gratitude but hatred" (Grant, p. 166).

324. *hands of fortune*. H. & S., (IX. p. 614n.), suggest the source is Seneca, *De Constantia Sapientis*, VIII. 3.

324-25. *She ... threats*. Briggs cites Lucan, *Pharsalia* or *The Civil War*, IX. 569-70: "The timid and the brave must fall alike."

336. Lucan, *The Civil War*, IX. 404, "virtue rejoices when it pays dear for its existence" (Cited by Riddell, "Seventeenth-Century Identifications", p. 207).

337. *mock Tiberius tyrannie*. Briggs detects a similarity with Petronius' suicide in the play of *Nero*, IV. vii (1633, Hi^v), "*Nero, my my end shall mock thy tyranny*" (Quoted by H. & S., IX. p. 614n.).

[339-]40. Jonson cites Tacitus, *Annals*, IV. 19: "Silius anticipated imminent condemnation by suicide" (Grant, p. 167). Jonson makes Silius's suicide take place in the senate even though there is no indication in Tacitus that it occurred there.

356-69. *Let ... better*. On line 366 (*This Lepidus*), Jonson cites and quotes Tacitus, *Annals*, IV. 20: "Never before had Tiberius gone to such pains regarding other men's property. Gaius Asinius Gallus proposed Socia's banishment, moving that half of her property should be confiscated and the other half left to her children. Marcus Aemilius Lepidus (IV), however, counter-proposed that a quarter should go to the accusers - as the law required - but that her children should have the rest.

"I find this Marcus Lepidus played a wise and noble part in events. He often palliated the brutalities caused by other people's sycophancy. And he had a sense of proportion - for he enjoyed unbroken influence and favour with Tiberius. This compels me to doubt whether, like other things, the friendship and enmities of rulers depend on destiny and the luck of a man's birth. Instead, may not our decisions play some part, enabling us to steer a way safe from intrigues and hazards, between perilous insubordination and degrading servility?" (Grant, p. 167).

370-406. In his marginal note on line 371 (*Cordus*), Jonson cites Tacitus, *Annals*, IV. 34: "The year [A.D. 25] began with the prosecution of Aulus Cremutius Cordus on a new and previously unheard-of charge: praise of Brutus in his *History*, and the description of Cassius as 'the last of the Romans.' The prosecutors were Satrius Secundus and Pinarius Natta, dependants of Sejanus; that was fatal to the accused man. So was the grimness of Tiberius' face as he listened to the defence" (Grant, 173-74); also Dio, *Roman History*, LVII. 24. 2-4.

376-77. Briggs attributes this imagery to Seneca, *To Marcia on Consolation*, XXII. 5: "and those fiercest of dogs, which, savage towards all others, he kept friendly only to himself by feeding them on human blood, began to bark around that great man [i.e. Cordus], who was already caught in a trap."

407-60. It is to this long speech that Drummond of Hawthornden refers in the statement that "In his *Sejanus* he [i.e. Jonson] hath translated a whole oration of Tacitus" (*Conversations*, 602). Jonson quotes *Annals*, IV. 34-35:

"Senators, my words are blamed. My actions are not blameworthy. Nor were these words of mine aimed against the emperor or his parent, whom the law of treason protects. I am charged with praising Brutus and Cassius. Yet, many have written of their deeds - always with respect. Livy, outstanding for objectivity as well as eloquence, praised Pompey so warmly that Augustus called him 'the Pompeian'. But their friendship did not suffer. And Livy never called Quintus Caecilius Metellus Pius Scipio, Lucius Afranius, and this same pair, bandits and parricides - their fashionable designations today. He described them in language appropriate to distinguished men.

"Gaius Asinius Pollio (I) gave a highly complimentary account of them. Marcus Valerius Messala Corvinus (I) called Cassius 'my commander'. Both lived out wealthy and honoured lives. When Cicero praised Cato to the skies, the dictator Julius Caesar reacted by writing a speech against him - as in a lawsuit. Antony's letters, Brutus' speeches, contain scathing slanders against Augustus. The poems of Marcus Furius Bibacullus - still read - are crammed with insults against the Caesars. Yet the divine Julius, the divine Augustus endured them and let them be. This could well be interpreted as wise policy, and not merely forbearance. For things unnoticed are forgotten; resentment confers status upon them.

"I am not speaking of the Greeks. For they left license unpunished as well as freedom - or, at most, words were countered by words. But among us, too, there has always been complete, uncensored liberty to speak about those whom death has placed beyond hatred or partiality. Cassius and Brutus are not in arms at Philippi now. I am not on the platform inciting the people to civil war. They did seventy years ago. They are known by their statues - even the conqueror did not remove them. And they have their place in the historian's pages. Posterity gives everyone his due honour. If I am condemned, people will remember me as well as Cassius and Brutus." (Grant, p. 174). This speech, translated and adapted into dramatic verse in *Sejanus*, is highly significant in the sense that it closely and appositely reflects the critical situation in which Jonson must have found himself when he was summoned before the Privy Council in connection with possible allusions in the play to current political events - references which must have angered certain court factions or influential personalities. Cordus's speech could have served as convincing defence on the part of the dramatist in which charges against topicality were denied. Jonson was, after all, released unharmed, and there is no evidence (at least, none has survived) to indicate that he received severe punishment in connection with the charges by Northampton.

423. *Pollio*. On this historian of the Roman Civil Wars, Jonson refers the reader to Suetonius, without a specific reference.

427-28. *Cicero's book ... answer*. A treatise by Cicero, entitled *Cato*, a work praising the man, was answered by Caesar's *Anticato*. Neither treatise has survived.

431. *Antonius letters*. These letters are quoted by Suetonius, *Lives of the Twelve Caesars*, II. 16, 69 (see Graves, pp. 61, 92-93 respectively).

434. *The epigrams of Bibaculus and Catulus*. These are anti-Caesarian writings; those by Bibaculus have survived, whereas those by Catulus have not.

440-41. Briggs cites Seneca, *On Anger*, III. v. 8: "no injury whatever can cause a truly great mind to be aware of it, since the injury is more fragile than that at which it is aimed. ... Revenge is the confession of a hurt."

436-80. In a marginal note on line 463 (*Take him hence*), Jonson cites and partly quotes Tacitus, *Annals*, IV. 35: "Cremutius walked out of the senate, and starved himself to death. The senate ordered his books to be burnt by the aediles. But they

survived, first hidden and later republished. This makes one deride the stupidity of people who believe that today's authority can destroy tomorrow's memories. On the contrary, repressions of genius increase its prestige. All that tyrannical conquerors, and imitators of their brutalities, achieve is their own disrepute and their victims' renown" (Grant, p. 175). Jonson also cites Seneca, *To Marcia on Consolation*, XXII, regarding Cordus's suicide. On line 480, (*an eternal name*), Jonson cites Tacitus's passage, already quoted.

486[-87]. *The Roman race*. Jonson cites Suetonius, *Lives*, III. 21: It was reported that Tiberius and the dying Augustus "spent a whole day together in confidential talk. ... when Tiberius finally took his departure, Augustus' attendants overheard him saying: 'Poor Rome, doomed to be masticated by those slow-moving jaws!'" (Graves, p. 125).

493. *Gallus ... us*. Jonson cites Tacitus, *Annals*, I. 13 (on Gallus's independence) and II. 35.

503[-76]. *Sir...* Jonson cites Tacitus, *Annals*, IV. 39-40: "Sejanus's judgement now became affected by too great success; and feminine ambition hustled him, since Livilla was demanding her promised marriage. He wrote a memorandum to the emperor... This is what Sejanus said:

"The kindness of your father Augustus, and your own numerous marks of favour, have accustomed me to bringing my hopes and desires to the imperial ear as readily as to the gods. I have never asked for brilliant office. I would rather watch and work, like any soldier, for the emperor's safety. Yet I have gained the greatest privilege - to be thought worthy of a marriage-link with your house. That inspired me to hope: besides, I have heard that Augustus, when marrying his daughter, had not regarded even knights as beneath his consideration. So please bear in mind, if you should seek a husband for Livilla, your friend who would gain nothing but prestige from the relationship. For I am content with the duties I have to perform; satisfied - for my children's sake - if my family is safeguarded against the unfounded malevolence of Agrippina. For myself, to live my appointed span under so great an emperor is all the life I desire'.

"In reply Tiberius praised Sejanus' loyalty, touched lightly on his favours to him, and asked for time, ostensibly for unbiased reflection. Finally, he answered. 'Other men's decisions', he wrote, 'may be based on their own interests, but rulers are situated differently, since in important matters they need to consider public opinion. So I do not resort to the easy answer, that Livilla can decide for herself whether she should fill Drusus' place by remarrying, or stay in the same home. Nor shall I reply that she has a mother and grandmother who are her more intimate advisers than myself. I shall be more frank. In the first place Agrippina's ill-feelings will be greatly intensified if Livilla marries: this would virtually split the imperial house in two. Even now, the women's rivalry is irrepressible, and my grandsons are torn between them. What if the proposed marriage accentuated the feud?

"You are mistaken, Sejanus, if you think that Livilla, once married to Gaius Caesar and then to Drusus, would be content to grow old as the wife of a knight - or that you could retain your present status. Even if I allowed it, do you think it would be tolerated by those who have seen her brother and father, and our ancestors, holding the great offices of state? You do not want to rise above your present rank. But the officials and distinguished men who force their way in upon you and consult you on all matters maintain openly that you have long ago eclipsed all other knights and risen above any friend of my father's. Moreover, envying you, they criticize me.

"Augustus, you say, considered marrying his daughter to a knight. But he foresaw that the man set apart by such an alliance would be enormously elevated; and is it surprising, therefore, that those he had in mind were men like Gaius Proculeius, noted for their retiring abstention from public affairs? Besides, if we are noting Augustus' delay in making up his mind, the decisive consideration is that the sons-in-law whom he actually chose were Marcus Agrippa and then, in due course, myself. I have spoken openly, as your friend. However, what you and Livilla decide, I shall not oppose. Of

certain projects of my own, and addition ties by which I plan to link you with me, I shall not speak now. This only shall I say: for your merits and your devotion to me, no elevation would be too high. When the time comes to speak before the senate and public, I shall not be silent'" (Grant, pp. 176-78).

514. *worth his alliance*. In his marginal note in Latin, Jonson reminds the reader that Sejanus's daughter had been betrothed to the future emperor Claudius's son, Drusus. Suetonius, *Lives*, V. 27, reports how Drusus "choked by a pear which he had playfully thrown up and caught in his open mouth." Suetonius adds that at the time there was a "rumour that Sejanus murdered him" (Graves, p. 203).

552. *Caius Caesar*. Jonson's note reads: grandson of Augustus and son of his daughter Julia and Marcus Agrippa.

580[-81]. *How ... Rome*. Jonson cites Tacitus, *Annals*, IV. 41: "Then, unwilling either to shut out his stream of visitors - which would mean loss of influence - or by receiving them to give his critics a handle, he turned his attention to persuading Tiberius to settle in his some attractive place far from Rome" (Grant, p. 178). Jonson also cites Dio, *Roman History*, opening of LVIII: "Tiberius left Rome at this time [A.D. 25-26] and never again returned."

603-20. In a marginal note on line 610, Jonson cites Tacitus, *Annals*, IV. 41: Sejanus "turned his attention to persuading Tiberius to settle in some attractive place far from Rome. He foresaw many advantages in this. He himself would control access to the emperor - as well as most of his correspondence, since it would be transmitted by Guardsmen. Besides, the ageing monarch, slackening in retirement, would soon be readier to delegate governmental functions. Meanwhile Sejanus himself would become less unpopular when his large receptions ceased - by eliminating inessentials, he would strengthen his real power. So he increasingly denounced to Tiberius the drudgeries of Rome, its crowds and innumerable visitors, and spoke warmly of peace and solitude, far from vexation and friction: where first things could come first" (Grant, p. 178).

637-46. Briggs attributes this to Machiavelli, *Discourses*, III. 6: "A prince therefore who wishes to guard himself from congiure [sic.] should more fear those to whom he has done too many favours than those to whom he had done too many injuries; for the latter lack opportunity, the former have it; and the will is the same, since the desire to dominate is as great or greater the desire for revenge. They should therefore give only so much authority to their friends as still leaves some distance and as allows something in between to be coveted, otherwise it will be a rare thing if he will not [place] them among the first [on the proscribed list]." (Quoted by Jonas Barish, *op. cit.*, p. 197n.). Boughner, in "Sejanus and Machiavelli," *SEL*, 1 (1961), p. 83, also cites the Florentine statesman as a possible source for Jonson, using a different translation. In their note on these lines, H. & S., (IX. p. 618n.), compare them with *Discoveries*, 1224-9: "But *Princes* that neglect their proper office thus, their fortune is often times to draw a *Seianus*, to be neere about them; who will at last affect to get above 'hem, and put them in a worthy feare, of rooting both [of] them out, and their family. For no men hate an evill *Prince* more, then they, that help'd to make him such." (The passage from *Discoveries* is quoted in H. & S., *Ben Jonson*, VIII. 601).

647. *Macro*. For details on Macro, Jonson refers the reader to the following sources: Dio, *Roman History*, LVIII. 9; Tacitus, *Annals*, IV. in sections which cover the period after the fall of Sejanus and the rise of Macro as the commander of the praetorian guard; Suetonius, *Lives*, III. 73.

651-54. *I have ... live*. H. & S., (IX. p. 618n.), believe this is derived from Pliny, *Natural History*, XXVII. ii: "Yet even aconite [a poisoning herb] the ancients have turned to the benefit of human health, by finding out by experience that administered in warm wine it neutralizes the stings of scorpions ... What a marvel! Although by

themselves both are deadly, yet the two poisons in a human being perish together so that the human survives."

660. Briggs cites Aristophanes, *The Frogs*, 1431-32: "'Twere best to rear no lion in the state: /But having reared, 'tis best to humour him." Loeb ed., translated by B. B. Rogers (London, 1968). Aristophanes himself attributes it to Aeschylus.

669[-75]. *to depart...* Jonson's two marginal notes here cite Suetonius, *Lives*, III. 40 (see Graves, p. 134), and Tacitus, *Annals*, IV. 57 (see Grant, p. 186): the dedication of these temples was only a pretext for a journey whose destination was, from the start, Capri. Jonson also cites Dio, *Roman History*, LVIII. 1. (See II. 580-81n.).

701-4. *to spy ... practice.* On line 702, Jonson cites Suetonius, *Lives*, III. 65: "Tiberius found some difficulty in getting rid of [Sejanus] and did so at last by subterfuge rather than by the exercise of imperial authority" (Graves, p. 146); and Dio, *Roman History*, LVIII. 4ff., on various underhand tactics used against Sejanus.

714[-49]. In his marginal note, Jonson cites Tacitus, *Annals*, VI. 45-50 (on Macro's character). Macro's soliloquy is a close representation of a Machiavellian opportunist. Jonas Barish compares this speech to that of Richard of Gloucester in Shakespeare's *3 Henry VI*, III. ii. 165-95. (See Jonas Barish, *op. cit.*, p.197n.).

736-38. Philip Ayres compares this to Lucan, *The Civil War (Pharsalia)*, VIII. 489-91: "The power of kings is utterly destroyed once they begin to weigh considerations of justice; and regard for virtue levels the strongholds of tyrants."

744[-47]. *If then ... engine.* Jonson cites Dio, *Roman History*, LVIII. 9-10: Sejanus was told by Macro that he would be deprived of his guards, and as he entered the senate he would be denounced by means of a letter sent by Tiberius.

ACT FOUR

1. Jonson cites and partly quotes from Tacitus, *Annals*, IV. 52: "Agrippina, always violent, was upset by her relative's [i.e. Claudia Pulchra's] predicament [=trial for alleged adultery with Furnius]" (Grant, p. 183).

4, 5. *Let it be sodaine ... hope.* Briggs suggests these lines are a possible adaptation from Lucan, *The Civil War*, II. 14-15: "let thy purpose, whatever it be, be sudden; let the mind of man be blind to coming doom; he fears, but leave him hope" (Quoted by H. & S., IX. p. 619n.).

7. *Let me ... hope.* Seneca, *Medea*, 163: "Whoso [sic.] has naught to hope, let him despair of naught" -- (Riddell, "Seventeenth-Century Identifications", p. 208).

13-14. *Who ... forever.* Briggs suggests Seneca, *On Benefits*, II. v. 1: "Nothing is so bitter as long suspense; some can endure more calmly to have their expectation cut off than offered."

21[-24]. *Or was ... eloquence.* Jonson, in two marginal notes on these lines (21, 23), quotes Tacitus, *Annals*, IV. 52: "Pulchra and Furnius were condemned. Afer became a leading advocate. His talents had been seen; and Tiberius had commented that he was born a speaker" (Grant, p. 184). See also II. 220n. and II. 418-23n.

28-29. *That ... will.* Briggs points out a similarity with Seneca, *On Mercy*, I. viii. 7: "The inclination to vent one's rage should be less strong than the provocation for it."

47[-60]. On line 47, Jonson cites Tacitus, *Annals*, IV. 59: "A dangerous accident to Tiberius at this time stimulated idle gossip, and gave him reason for increased confidence in Sejanus' friendship and loyalty. While they were dining at a villa called The Cave, in a natural cavern between the sea at Amyclae and the hills of Fundi, there was a fall of rock at the cave-mouth. Several servants were crushed, and amid the general panic the diners fled. But Sejanus, braced on hands and knees, face to face, warded the falling boulders off Tiberius. That is how the soldiers who rescued them found him. The incident increased Sejanus' power. Tiberius believed him disinterested and listened trustingly to his advice, however disastrous" (Grant, p. 187).

48. *Spelunca*. Jonson notes that Suetonius, in *Lives*, III. 39, refers to it as Tiberius's country seat: ('The Cavern', near Tarracina -- see Graves, p. 134).

58.in *Caesar's trust*. Jonson cites the same Tacitan passage which he cited previously.

63-67. Jonson adapts this from Tacitus, *Annals*, IV. 59: "Nero Caesar, heir to the throne, who though youthfully unpretentious often forgot the care which the circumstances demanded. His ex-slaves and dependants ... urged him to show vigour and confidence. Rome and the army wanted it, they said, and no counter-stroke would be risked by Sejanus" (Grant, p. 187). In Jonson's play, however, Nero receives a speech from Agrippina, his mother, who urges him to be stoical in response to inequity.

68-70. Briggs suggests the source here is Seneca, *On Providence*, iv. 15-16: "Why then do you wonder that good men are shaken in order that they may grow strong? No tree becomes rooted and sturdy unless many a wind assails it. For by its very tossing it tightens its grip and plants its roots more securely."

76. Philip Ayres compares this line with Seneca, *On Firmness*, xix. 3: "all misfortune will fall more lightly on those who expect it" (Ayres, *op. cit.*, p. 183n.).

93[-232]. *great Sejanus*. Jonson cites and adapts passages from Tacitus, *Annals*, IV. 68-70: "The next year [A.D. 28] ... began deplorably. A distinguished knight called Titius Sabinus was dragged to gaol because he had been Germanicus' friend. Sabinus had maintained every attention to Germanicus' widow and children, visiting their home, escorting them in public - of their crowds of followers he was the only survivor. Decent men respected this, but spiteful people hated him. His downfall was planned by four ex-praetors ambitious for the consulship, Lucianus Latiaris, Marcus Porcius Cato, Petelius Rufus and Marcus Opsius. For the only access to this lay through Sejanus; and only crimes secured Sejanus' goodwill.

"The four arranged that, with the others present as witnesses, one of them, Lucianus Latiaris (who knew Sabinus slightly), should trap him with a view to prosecution. So Latiaris after some casual remarks complimented Sabinus on his unshaken adherence, in its misfortunes, to the family he had supported in its prosperity and he commented respectfully about Germanicus, sympathetically about Agrippina. Sabinus burst into tearful complaints; for misery is demoralizing. Latiaris then openly attacked Sejanus as cruel, domineering, and ambitious - and did not even spare Tiberius. These exchanges of forbidden confidences seemed to cement a close friendship. So now Sabinus sought out Latiaris' company, frequenting his house and unburdening his sorrows to this outwardly reliable companion.

"The four partners next considered how to make these conversations available to a large audience. The meeting-place had to appear private. Even if they stood behind the doors, they risked being seen or heard or detected by some auspicious whim. So in between roof and ceiling they crammed three Roman senators. In this hiding-place - as undignified as the trick was despicable - they applied their ears to chinks and holes. Meanwhile Latiaris had found Sabinus out of doors and, pretending to have fresh news to report, escorted him home to Sabinus' bedroom. There Latiaris dwelt on the unfailing subject of past and present distresses, introducing some fresh terrors too.

Sabinus embroidered at greater length on the same theme: once grievances find expression, there is no silencing them. Acting rapidly, the accusers wrote to Tiberius and disclosed the history of the trap and their own deplorable role. At Rome there was unprecedented agitation and terror. People behaved secretively even to their intimates, avoiding encounters and conversation, shunning the ears both of friends and strangers. Even voiceless, inanimate objects - ceilings and walls - were scanned suspiciously.

"In a letter read in the senate on January 1st Tiberius, after the customary New Year formalities, rounded upon Sabinus, alleging that he had tampered with certain of the emperor's ex-slaves and plotted against his life. The letter unequivocally demanded retribution. This was hastily decreed. The condemned man was dragged away, crying (as loudly as the cloak muffling his mouth and the noose round his neck allowed) that this was a fine New Year ceremony - this year's sacrifice was to Sejanus" (Grant, pp. 190-92). On line 93, Jonson also cites Dio, *Roman History*, LVIII. 1. 1.: "Latiaris ...[wished] to do Sejanus a favour."

105. *though they be declin'd*. Jonson cites the same Tacitan passage, quoted above.

110. Latiaris, in Tacitus, is only an acquaintance of Sabinus ("Latiaris knew Sabinus slightly" - see Grant, p. 191); Jonson makes him Sabinus's cousin to heighten the dramatic effect of spying and betrayal even between relatives in Rome under Tiberius.

114. *our Holes*. Jonson cites the same previous reference.

127. In Tacitus, Sabinus is anything but stoical; he "burst into tearful complaints" (Grant, p. 191). Jonson, in sharp contrast, makes him an example of stoicism.

131[-32]. *yea ... safety*. Jonson cites and quotes Tacitus, *Annals*, IV. 60: "Even night-time was not safe. For whether he slept, or lay awake, or sighed, his wife Livia Julia told her mother Livilla and she told Sejanus" (Grant, p. 187).

174. *his ... face*. Jonson cites and quotes Tacitus, *Annals*, IV. 57: "[Tiberius] had a face covered with sores and often plaster" (Grant, p. 186).

175. *at Rhodes*. Jonson cites Tacitus's (*Annals*, IV. 57) "His [Tiberius's] retirement at Rhodes had accustomed him to unsociability and secretive pleasures," (Grant, p. 186) refers back to an earlier period, during part of Tiberius's reign. Jonson thus makes a mistake in interpreting this historical detail.

175-76. *he ... Romans*. Briggs suggests the source is from Seneca, *To Marcia on Consolation*, XXII. 4: Cremutius Cordus vigorously protested "that a Sejanus should be set upon our necks, much less climb there."

[187]-89. *sent ... her*. Jonson cites Tacitus, *Annals*, IV. 54: "Agrippina was further upset by Sejanus. His agents now warned her - ostensibly as friends - against schemes to poison her: she must avoid dining with her father-in-law Tiberius (Grant, p. 184). Agrippina's husband Germanicus was of course the adopted son of Tiberius."

193[-99]. *To work ... ear*. Jonson cites Tacitus, *Annals*, IV. 59-60: see IV. 63-7n. above.

205-15. *The second ... ruin*. In a note on line 207, Jonson cites Tacitus, *Annals*, IX. 60: "Sejanus even made an accomplice of the young man's [i.e. Nero's] brother Drusus Caesar - tempting him with supreme power if only he could eliminate his already undermined elder brother. Drusus Caesar's degraded character was animated by power-lust, and the usual hatred between brothers - also jealousy, because his mother Agrippina preferred Nero Caesar. But Sejanus' cultivation of Drusus Caesar did not exclude plans to begin his destruction too, since the youth, as he knew, was hot-headed and could be trapped" (Grant, pp. 187-88).

224[-29]. Jonson cites Tacitus, *Annals*, IV. 70: "In a letter read in the senate on January 1st Tiberius, after the customary New Year formalites, rounded upon Sabinus, alleging that he had tampered with certain of the emperor's ex-slaves and plotted against his life. The letter unequivocally demanded retribution. This was hastily decreed. The condemned man was dragged away, crying (as loudly as the cloak muffling his mouth and the noose round his neck allowed) that this was a fine New Year ceremony - this year's sacrifice was to Sejanus" (Grant, pp. 191-92).

228. *The yeere is well begun*. H. & S., (IX. p. 621n.), compare Suetonius, *Lives*, III. 61: "Not a day, however holy, passed without an execution; he [i.e. Tiberius] even desecrated New Year's Day" (Graves, p. 144).

234[-35]. *your mother ... senate*. Jonson cites Tacitus, *Annals*, V. 3: After the death of the Augusta (Tiberius's mother), "a time of sheer crushing tyranny" began (A.D. 29). "A letter was sent to Rome denouncing Agrippina and Nero Caesar." Nero "was accused ... of homosexual indecency," and Agrippina of her "insubordinate language and disobedient spirit. The senate listened in terrified silence" (Grant, p. 196).

235[-36]. *Gallus ... committed*. Jonson quotes Dio, *Roman History*, LVIII. 3. 3: "this man had a most remarkable experience, one that never happened to anyone else: on one and the same day he was banqueted at the house of Tiberius, ... and was condemned in the senate."

246[-48]. *since ... army*. Jonson cites Tacitus, *Annals*, IV. 70, (probably an error by Jonson, who might have meant V. 3 -- see previous note); and Suetonius, *Lives*, III. 53: Tiberius finally decided on "falsely charging [Agrippina] with a desire to take refuge, now at the statue of Augustus and now with the armies."

267. *pull ... beard*. Whalley cites Persius, *Satires*, II. 28-29:

Does that mean Jove will let you tweak his stupid beard?

(*The Satires of Horace and Persius*, a verse translation with an introduction by Niall Rudd, Penguin Books, (London, 1973, rept. 1987), p. 214).

274-76. *what's ... man*. Briggs suggests a borrowing from Juvenal, *Satires*, IV. 96-7: "Longevity and breeding

Are so rare a conjunction today, so portentous."
(Juvenal, *The Sixteen Satires*, translated by Peter Green, p. 108)

276. *Marcus Lepidus*. On the character of this historical personality, Jonson cites Tacitus, *Annals*, I. 13; III. 35; III. 50; and IV. 20.

285[-7]. Jonson cites Dio, *Roman History*, LVIII. i. 3: Sabinus's death "was rendered still more tragic by the behaviour of a dog belonging to Sabinus that went with him to prison, remained beside him at his death, and finally leaped into the river with his body." Jonson also cites Tacitus, *Annals*, IV. 70, which does not mention the incident involving Sabinus's dog. The same incident, Barish has pointed out, also appears in Sir Thomas Elyot, in *The Governor*, II. 13, under "Ingratitude and the dispraise thereof." (See Jonas A. Barish, *op. cit.*, p. 200n.).

293-98. In a note on line 294, Jonson cites and adapts Tacitus, *Annals*, IV. 20: "Lepidus played a wise and noble part in events. He often palliated the brutalities caused by other people's sycophancy. And he had a sense of proportion - for he enjoyed unbroken influence and favour with Tiberius. This compels me to doubt whether, like other things, the friendships and enmities of rulers depend on destiny and

the luck of a man's birth. Instead, may not our own decisions play some part, enabling us to steer away, safe from intrigues and hazards, between perilous insubordination and degrading servility?" (Grant, p. 167). Briggs, (p. 26), observes that "the words of Lepidus are not quite consistent with the historical facts, since, as Tacitus tells us, he enjoyed the constant favour of Tiberius." In the play itself, Jonson avoids mentions of good- or bad-will between Tiberius and Lepidus. Boughner believes Jonson is in error here in referring the reader to Tacitus, *Annals*, IV., and instead he cites Tacitus, *Histories*, IV. 8: "where the opportunistic politician Eprius Marcellus delivered an oration to the senate adorned by this maxim" [i.e. Lepidus's lines]. (Boughner, "Sejanus and Machiavelli," *SEL*, 1 (1961), p. 96n.).

295-311. H. & S., (IX. p. 622n.), comment that these lines echo Juvenal, *Satires*, IV. 86-93:

But what could be more capricious
Than a tyrant's ear, when the fate of his so-called friends and advisers
Hung on his word? Best play safe, stick to the whether -
How raving or hot it's been, how spring showers are here again.
So Crispus never struck out against the current, never
Uttered his private opinions, or staked his life on the truth.
(Juvenal, *op. cit.*, translated by Peter Green, p. 108).

300-1. *May I pray*. The source here is Persius, *Satires*, I. 119: "Am I forbidden to whisper -to myself- to a ditch - to anything?"
(*The Satires of Horace and Persius*, translated by N. Rudd, p. 212).

301-2. *May ... wishes*. Briggs compares Persius, *Satires*, II. 5-7:
But most of the wealthy offer incense from a silent casket.

Not everyone is ready to rid our temples of all that low whispering and
mumbling and to bring his prayers into the open.
(*The Satires of Horace and Persius*, translated by N. Rudd, p. 213).

309. *the Gemonies*. Jonson, in a marginal note, cites the sources: Rhodiginus Caelius (*Lectiones antiquae*, 1517), Tacitus, Suetonius, Dio, Seneca, and Juvenal. He also points out that the bodies of the condemned were thrown upon the Gemonian steps on the Aventine hill.

315. *all occasion pleaseth*. Seneca, *On Benefits*, III. xxvi. 1 (H. & S., IX. p. 622n.).

322. *Laco*. Jonson cites Dio, *Roman History*, LVIII. 4. 3-6: Graecinus Laco, who was commander of the night-watch, was loyal to Macro on the day Sejanus was condemned and thrown on the Gemonian steps.

330, 333. In his two separate marginal notes Jonson cites Suetonius, *Lives*, III. 54: Tiberius's dislike of Nero and Drusus Junior increased steadily and he had the Senate declare them both "public enemies" and they "starved to death - Nero on the island of Pontia, Drusus in a Palace cellar" (Graves, p. 41). In Tacitus, the part relating to this era is missing.

335. *The princess is confined, to Pandataria*. Jonson cites Suetonius, *Lives*, III. 53: Tiberius "exiled her [i.e. Agrippina] to the prison island of Pandataria" (Graves, 140).

336-39. *Bolts ... little*. Briggs compares this with Juvenal, *Satires*, XIII. 78-83:

He'll swear by the Sun's rays, by Jupiter's thunderbolts,
By the lance of Mars, by the darts of Delphic Apollo,
By the quiver and shafts of Diana, the virgin hunters,
By the trident of Neptune, Our Father of the Aegean;

He'll throw in Hercules' bow and Minerva's spear,
 The armies of Olympus down to their very last item.
 (Juvenal, translated by Peter Green, pp. 251-2).

343. *The complement of all accusings.* Jonson cites Tacitus, *Annals*, III. 38: Caeius Cordus was accused of "extortion - to which was added a charge of treason, now the complement of every prosecution" (Grant, p. 138).

345-49. *But ... knowledge.* In his note on line 346, Jonson cites Tacitus, *Annals*, V. 4: "...crowds with the statues of Agrippina and Nero Caesar pressed round the senate-house. Cheering Tiberius, they cried that the letter was a fabrication - the emperor could not favour plots to destroy his family" (Grant, p. 196).

363. *night-eyed.* Jonson cites Dio, *Roman History*, LVII. 2: "although he saw extremely well in the dark, his sight was very poor in the daytime"; and Pliny, *Natural History*, XI. liv. 143: "It is stated that ... if [Tiberius] woke up in the night for a short time he could see everything just as in bright daylight, although darkness gradually closed over him." Jonson's literal note on this line reads: "Tiberius *in tenebris videret. testibus* Dion. *Hist. Rom. lib. 57 pag. 691. Et Plini Nat. Hist. lib. 11. cap. 37*" (I3r (n. a) in the Quarto). There is a clear reference to Tiberius's extraordinary sight also in Suetonius, *Lives*, III. 68: "Tiberius' eyes ... possessed the unusual power of seeing at night and in the dark, when he first opened them after sleep; but this phenomenon disappeared after a minute or two" (*The Twelve Caesars*, translated by Graves, p. 148). This quotation is likely to have been Jonson's direct authority for the term "night-eyed" rather than any other source available to him.

373-74. *our monster ... him.* Briggs cites Juvenal, *Satires*, IV. 2-4: Crispinus is

a monster of wickedness
 Without one redeeming virtue, a sick voluptuary
 Strong only in his lusts.

(Juvenal, translated by Peter Green, p. 105).

Suetonius, in *Life of Caligula*, *Lives*, 22, also refers to Tiberius as "the Monster" (Graves, p. 163).

375. *person fouler then all crimes.* Jonson cites Tacitus, *Annals*, IV. 57, on Tiberius's ugliness - (see the note on IV. 174 above). H. & S., (IX. p. 623n.), compare Juvenal, *Satires*, IV. 14-15:

What is to be done
 When the man himself is so much more revolting
 Than any change you can bring against him?
 (Juvenal, translated by Peter Green, p. 105).

Jonson's line also echoes Suetonius, *Lives*, III. 68: Tiberius "had a handsome, fresh-complexioned face, though subject to occasional rashes of pimples." (*The Twelve Caesars*, translated by Graves, p. 148).

378[-80]. *Into ... Chaldees.* On Tiberius's activities on the island of Capreae, Jonson cites the following authorities: Suetonius, *Lives*, III. 43ff.: a disgraceful account of Tiberius's practice of abnormal sexual activities on the island of Capreae is given (see Graves, pp. 135-36); Dio, *Roman History*, LVIII. 4. 1; Juvenal, *Satires*, X. 92-4: "the 'protector'

Of an Imperial recluse squatting on Capri's narrow
 Rocks with his fortune-tellers.
 (Juvenal, translated by Peter Green, p. 208).

380[-86]. *spending houres ... fate*. Jonson cites Tacitus, *Annals*, VI. 21: "When seeking occult guidance Tiberius would retire to the top of his house, with a single tough, illiterate former slave as confidant. Those astrologers whose skill Tiberius had decided to test were escorted to him by this man over pathless, precipitous ground; for the house overhung a cliff. Then, on their way down, if they were suspected of unreliability or fraudulence, the ex-slave hurled them into the sea below, so that no betrayer of the secret proceedings should survive" (Grant, p. 210). Jonson also cites Dio, *Roman History*, LVII. 57. 3-4; and Suetonius, *Lives*, III. 62: "In Capreae they still show the place at the cliff top where Tiberius used to watch his victims being thrown into the sea after prolonged and exquisite tortures. A party of marines were stationed below, and when the bodies came hurtling down they whacked at them with oars and boat-hooks, to make sure that they were completely dead" (Graves, p. 145).

388-92. *He ... tortures*. Jonson, in two separate notes, cites Suetonius, *Lives*, III. 62; A horrid description of Tiberius's crimes on the island of Capri: "An ingenious torture of Tiberius' devising was to trick men into drinking huge draughts of wine, and then suddenly to knot a cord tightly round their genitals, which not only cut into the flesh but prevented them from urinating. Even more people would have died, it is thought, had Thrasyllus the astrologer not persuaded him, deliberately it is said, to postpone his designs by an assurance that he still had many years of life in hand" (Graves, pp. 145-6). The last sentence in Suetonius's report corresponds to lines 380-82 in Jonson's play, on Tiberius's practice of astrology on the island of Capri.

391-401. *Thither ... name*. In a note on line 395, Jonson cites Tacitus, *Annals*, VI. 1: "Free-born children were his victims. He was fascinated by beauty, youthful innocence, and aristocratic birth. New names for types of perversion were invented. Slaves were charged to locate and procure his requirements. They rewarded compliance, overbore reluctance with menaces, and - if resisted by parents or relations - kidnapped their victims, and violated them on their own account. It was like the sack of a captured city" (Grant, p. 200). Jonson also cites Suetonius, *Lives*, III. 44: "Imagine training little boys, whom he called his 'minnows', to chase him while he went swimming and get between his legs to lick and nibble him" (Graves, p. 136); III. 43: "On retiring to Capreae he made himself a sporting-house, where sexual extravagances were practised for his secret pleasure. Bebies of girls and young men, whom he had collected from all over the Empire as adepts in unnatural practices, and known as *spintriae*, would copulate before him in groups of three, to excite his waning passions" (Graves, p. 135).

401. Briggs cites the source as Juvenal, *Satires*, XIII. 28-30:

We live in the world's ninth age, a period still worse
Than the age of iron: such evil defies Nature
To find a name that fits it, a metal sufficiently base.
(Juvenal, translated by Peter Green, p. 250).

403. *The Ward*. Juvenal, *Satires*, X. 92: Sejanus is called "'protector' Of an imperial recluse" (Juvenal, *op. cit.*, translated by P. Green, p. 208).

403[-7]. Jonson cites Dio, *Roman History*, LVIII. iv. 2-4: Sejanus had a better idea of Tiberius's nature than the latter had of him; at Rome "they sacrificed to the images of Sejanus as they did to those of Tiberius." In citing Dio, Jonson silently follows Lipsius's note (p. 143, n. 9) in which the Belgian editor cites Dio's "*Lib. LVIII*". The dramatist, as is the case with all his citations of Dio, changes the note to "*lib. 58*.", adding "*pag. 714*."

408-9. *will ... trunk*. Briggs cites Persius, *Satires*, II. 24-25: "Do you think you're forgiven when an oak is split in a thunderstorm by the sulphurous bolt from heaven

while you and your house escape?" (*The Satires of Horace and Persius*, translated by Niall Rudd, p. 213).

409. *Pomponius ... Minutius*. Jonson cites Tacitus, *Annals*, VI: Quintius Pomponius was a "neurotic", an accuser who claimed that he undertook accusing people "in order to gain the emperor's favour" (VI. 18, Grant, p. 209). Minucius Thermus was a friend of Sejanus who was denounced by Tiberius himself as a leading criminal (VI. 7, Grant, p. 203).

410-22. Jonson gives three separate marginal notes on lines 410, 414, and 419, in which he cites Dio, *Roman History*, LVIII. 6. 3-5: Tiberius "kept sending despatches of all kinds regarding himself both to Sejanus and to the senate, now saying that he was in a bad state of health and almost at the point of death, and now that he was exceedingly well and would arrive in Rome directly. At one moment he would heartily praise Sejanus, and again would as heartily denounce him; and, while honouring some of Sejanus' friends out of regard for him, he would be disgracing others."

426. *heliotrope*. Pliny, *Natural History*, II. xli. 109: a plant, which always looks towards the sun and follows it throughout the day even when it is obscured by a cloud. (See Ayres, *op. cit.*, p. 2202n.).

429. *New ... advanced*. Jonson cites Tacitus, *Annals*, IV. 74: the senate "voted the erection of alters to Mercy and Friendship - the latter to be flanked by statues of Tiberius and Sejanus" (Grant, p. 194).

431-32. Jonson, in two separate marginal notes, quotes Dio, *Roman History*, LVIII. 6. 2: "they swore by his Fortune interminably"; he also cites LVIII. 4. 4: "Finally it was voted that they should be made consuls together every five years"; Jonson also cites Suetonius, *Lives*, III. 65: "to detach Sejanus from his immediate entourage, while pretending to honour him, Tiberius appointed him his colleague in a fifth consulship [A.D. 31]" (Graves, p. 146).

436[-37]. *But ... last*. Jonson cites Dio, *Roman History*, LVIII. 8. 4: "because sacrifices were being offered to Sejanus, he forbade such offerings to be made to any human being."

439[-44]. *Regulus*. In two separate notes on lines, 439, and 443, Jonson cites Dio, *Roman History*, LVIII. 9. 3: Macro had the support of the consul Memmius Regulus; "his colleague sided with Sejanus."

447-51. *These ... him*. In two separate marginal notes on lines 447, and 450, Jonson cites Suetonius, *Lives*, III. 65: "Tiberius found some difficulty in getting rid of [Sejanus] and did so at last by subterfuge rather than by the exercise of authority" (Graves, p. 146); and Dio, *Roman History*, LVIII. 6. 3-5 (see IV. 410-22n.).

455[-56]. *all ... devotion*. Jonson cites Dio, *Roman History*, LVIII. 4. 2: "Sejanus had completely won over the entire Pretorian guard."

466[-68]. *To ... boldness*. Jonson cites Dio, *Roman History*, LVIII. 6. 4: "thus Sejanus ... was in constant suspense; for it never occurred to him, on the one hand, to be afraid and so attempt a revolution, inasmuch as he was still held in honour, nor, on the other hand, to be bold and attempt some desperate venture, inasmuch as he was frequently abased."

469-72. *By his emplyments ... objects in their way*. Daniel Boughner comments that Lepidus's lines reveal a knowledge by Jonson of the passage in Machiavelli's *The Prince*, ch. VII, where an analogous episode to that of Tiberius and Sejanus is given in the story of Cesare Borgia in the Romagna. The duke, Machiavelli reports, placed

great powers in Remirro de Orco, a cruel man, who, in a short period of time, managed to unify the then disinformed people of Romagna. Realising that Romirro's severity had generated hatred among the people, the duke then decided to show that he was not responsible for such brutalities. This gave the duke a pretext to get rid of his harsh minister. Later, "Remirro's body," Machiavelli writes, "was found cut in two pieces on the piazza at Cesena, with a block of wood and a bloody knife inside it. The brutality of this spectacle kept the people of the Romagna for a time appeased and stupefied." (Machiavelli, *The Prince*, translated by George Bull, p. 58).

483-84. Dio, *Roman History*, LVIII. 4. 3: Tiberius "termed him sharer of his Cares, often repeated the phrase 'My Sejanus,' ...using it in letters addressed to the senate and to the people." See also Tacitus, *Annals*, IV. 2: Tiberius praised Sejanus "in conversation - and even in the Assembly - as 'the partner of my labours'" (Grant, p. 158).

485-86[89]. *it ... all*. Jonson cites Dio, *Roman History*, LVIII. 8. 4: "because sacrifices were being offered to Sejanus, he forbade such offerings to be made to any human being."

491-92. *How ... have*. Briggs cites Seneca, *Hercules Farnes*, 313-14: "What the wretched overmuch desire, they easily believe."

494. *He ... titles*. Jonson cites Dio, *Roman History*, LVIII. 8. 4: "in a letter to the senate ... he referred to Sejanus by the name simply, without the addition of the customary titles."

501-2. *th'escape ... Caligula*. Jonson cites Dio, *Roman History*, LVIII. 8, which relates only to Sejanus's jealousy of Caligula.

507. *against him*. Jonson cites Dio, *Roman History*, LVIII. 8. 2: "and now, finding [the populace] earnest supporters of Gaius, [Sejanus] became dejected, and regretted that he had not begun a rebellion during his consulship."

509. *Paconianus*. On this character Jonson cites Tacitus, *Annals*, VI. 3: "Sextius Paconianus [was] an evil, violent rooter-out of secrets. The revelation that Sextius had been Sejanus' chosen participant in his plot against Gaius released pent-up hatreds" (Grant, p. 201).

516[-21]. Jonson cites Tacitus, *Annals*, VI. 45: Macro, "Never neglectful of Gaius' favour, ... induced his own wife Ennia to pretend she loved the prince and entice him into a promise of marriage" (Grant, p. 223). Dio, *Roman History*, LVIII. 38. 4, is the source of IV. 520-21: suspecting the liaison, Tiberius told Macro, "you do well, indeed, to abandon the setting and hasten to the rising sun." Both quotations were, historically, related to a time following the fall of Sejanus.

517-18. *he can looke vp...* Juvenal, *Satires*, I. 56-7: "each of a husband /Takes gifts from his own wife's lover ..." (Juvenal, *op. cit.*, p. 67).

ACT FIVE

3. *I ... hour*. Briggs cites Statius, *Silvae*, IV. ii. 12-13: "I have lived barren years, but this is my natal day, this day is the threshold of my life." Loeb ed., translated by J. H. Mozley (London, 1961) - (Briggs, "Source-Material," p. 331).

5. *Great, and high*. As an example of Sejanus's arrogance, Jonson cites Dio, *Roman History*, LVIII. 4. 1 ("excessive haughtiness") and Tacitus, *Annals*, IV. 74 ("His arrogance obviously battered on the sight of this blatant subservience." - Grant, p. 194.

7-9. *tis ... heav'n.* Briggs cites Seneca, *Thyestes*, 885-88:

ATREUS. I walk among the stars! Above the world
My proud head reaches up to heaven's height!
Mine is the kingdom and the glory now,
Mine the ancestral throne. I need no gods;
I have attained the summit of my wishes.
(Seneca, translated by E. F. Watling, p. 84);

and Horace, *Odes*, I. i. 35: "I shall nudge the stars with my lifted head" (Horace, *The Complete Odes and Epodes*, translated, with an introduction by Betty Radice, Penguin Books (London, 1983), p. 70).

10-11. *All ... important.* Briggs cites Seneca, *On Benefits*, II. xxvii. 4: "And just as little does ambition suffer any man to rest content with the measure of public honours that was once his shameless prayer."

17-21. Briggs cites Lucan, *Pharsalia* or *The Civil War*, III. 362-66: "As a gale, unless it meets with thick-timbered forests, loses strength and is scattered through empty space, and as a great fire sinks when there is nothing in its way - so the absence of a foe is destructive to me, and I think my arms wasted if those who might have been conquered fail to fight against me."

25-93. Jonson presents Sejanus in these lines as more of a blasphemer than he actually was in the sources. Dio, in *Roman History*, LVIII. 5-7, tells of Sejanus's rituals and reports the incident of the snake in Sejanus's statue and of Sejanus's consequent alarm and disorder at the incident.

29-37. *your ... serpent.* In two separate marginal notes on lines 29 and 35, Jonson cites Dio, *Roman History*, LVIII. 7: "Sejanus was ... much more disturbed when from one of his statues there at first burst forth smoke, and then, when the head was removed so that the trouble might be investigated, a huge serpent leapt up."

52-57. Jonson, in two separate marginal notes on lines 52 and 55, cites Dio, *Roman History*, LVIII. 5. 5: "Now on a New Year's day, when all were assembling at Sejanus's house, the couch that stood in the reception room utterly collapsed under the weight of the throng seated upon it; and, as he was leaving the house, a weasel darted through the midst of the crowd."

59-66. Jonson, in two separate marginal notes on lines 59 and 62, cites Dio, *Roman History*, LVIII. 5. 6-7: "After he had sacrificed on the Capitol and was now descending to the Forum, the servants who were acting as his body-guard turned aside along the road leading to the prison, being unable by reason of the crowd to keep up with him, and while they were descending the steps down which condemned criminals were cast, they slipped and fell. Later, as he was taking the auspices, not one bird of good omen appeared, but many crows flew round him and cawed, then all flew off together to the jail and perched there."

83. *grain of incense.* Jonson cites Plautus, *Poenulus*, II. 451, and Ovid, *Fasti*, IV.

85[-7]. Jonson cites Dio, *Roman History*, LVIII. 7. 2: "... a statue of Fortune, which had belonged, they say, to Tullius, one of the former kings of Rome, but was at this time kept by Sejanus at his house and was a source of great pride to him: he himself saw this statue turn its back to him while he was sacrificing."

90. *honey, milk, and poppy*. Jonson cites contemporary authorities: Lilius Gregorius Giraldus, *De Deis Gentium*, (Basel, 1548), Syntagma XVII; and Johann Wilhelm Stuck, *Sacrorum, Sacrificiorumque Gentilium* (Tiguri, 1598).

96[-7]. *Entered ... Regulus*. Jonson cites Dio, *Roman History*, LVIII. 9. 3: "Macro entered Rome by night ... and communicated his [i.e. Tiberius's] instructions to Memmius Regulus, then consul (his colleague [i.e. Fulcinius Trio] sided with Sejanus), and to Graecinius Laco, commander of the night-watch."

101. *your edict*. Jonson cites Tacitus, *Annals*, I.; Livy, Book II; Sextus Pompeius Festus, *De Verborum Significatione*, Book XV; Brisson, *De formulis*, Book I; and Justus Lipsius, *Satyra Menippaea*.

105. *Apollo's temple*. Jonson cites Dio, *Roman History*, LVIII. 9. 4: "the senate was to sit in the temple of Apollo."

107. *for the provost ... watch*. Jonson cites Dio, *Roman History*, LVIII. 9. 3 (see V. 96-7n.).

113. *letters ... Caesar*. Jonson cites the same passage - see V. 96-7n.

127. *seven cohorts*. Jonson cites Joannes Rosinus, *Antiquitatum Romanarum* (Basel, 1583), Book VII; and Dio, *Roman History*, LV. 26. 4-5: "When many parts of the city were at this time [A.D. 6] destroyed by fire, [Augustus] organized a company of freedmen, in seven divisions, to render assistance on such occasions, and appointed a knight in command over them. ... They have barracks in the city and draw pay from public treasury."

145-46[52]. *Those ... avoided*. Jonson cites Dio, *Roman History*, LVIII. 9. 5-6: Macro's "stationing the night-watch about the temple" happened after the senate had started their session.

153[-54]. Jonson cites Tacitus, *Annals*, VI. 23: "It has been suggested that the emperor had ordered Macro, if Sejanus attempted rebellion, to free the youth [i.e. Drusus Junior] from the Palatine - where he was incarcerated - and display him to the people as a leader" (Grant, 211); and Suetonius, *Lives*, III. 65, giving the same details.

171. *On Tubicines, Tibicines*. Jonson cites secondary sources: Rosinus, *Antiquitatum Romanarum*, Book II, and Stuck, *Sacrorum, Sacrificiorumque Gentilium*, p. 72.

171. *Flamen*. (Priests) Jonson cites Lilius Gregorius Giraldus, *De Deis Gentium*, XVII and Onofrio Panvinio, *Republicae Romanae*, commentary II.

171. *Be all profane*. Jonson notes that the heralds always opened the way for the priests so that no profane people should be present. The dramatist cites Brisson, Rosinus, Stuck and Giraldus, with no specific references.

171. *while the Flamen washeth*. Jonson mentions in his marginal note that priests were demanded to wash themselves and repent of any ill deeds.

174 *pure Hands*. Jonson mentions his sources: Virgil, Martial, Tibullus, and Ovid.

177. 182. *Favour your tongues* and *Favour it with your tongues*. Jonson cites Seneca, *On the Happy Life*, XXVI. vii.

182.[takes ... poppy]. Jonson cites Rosinus, Book II.; Brisson, Book I.; Stuck; and Giraldus, XVII.

183. Jonson cites the same authorities mentioned above.

183. [into ... poppy]. Jonson cites Nonius Marcellus, the third-century grammarian, and Macrobinus's *Saturnalia*.

186. *Fortuneauerts her face*. Jonson cites Dio, *Roman History* (see V. 85-7, above).

203-4. *That ... unto*. In two separate marginal notes to these lines, Jonson cites Tacitus, *Annals*, IV. 74 (quoted in IV. 429n.); and Dio, *Roman History*, LVIII. 4. 4: "And in the end they sacrificed to the images of Sejanus as they did to those of Tiberius."

211. *MINUTIUS*. Jonson cites Tacitus, *Annals*, VI. 7. (see IV. 409n. above).

217. *A rope ... it*. Jonson cites Dio, *Roman History*, LVIII. 7. 2: when the head was replaced on Sejanus's statue, "a rope was discovered coiled about the neck of the statue."

218[-21]. *a fiery ... multitude*. Jonson cites Seneca, *Natural Questions*, I. i. 3: "we have more than once seen a flaming light in the shape of a huge ball which was then dissipated in mid-flight"; one was seen "at the time when Sejanus was condemned". Loeb ed., translated by T. H. Corcoran (London, 1971).

225. *the tribunes*. Jonson cites Dio, *Roman History*, LVIII. 9. 5.

234-38. *These ... still*. Briggs cites Lucan, *The Civil War*, V. 653-4: "Caesar considers at last that the danger is on a scale to match his destiny"; and IX. 581-3: "Men who doubt and are ever uncertain of future events - let *them* cry out for prophets: I draw my assurance from no oracle but from the sureness of death."

241[-3]. *I ... Germanicus*. Jonson cites Tacitus, *Annals*, I. 69: Sejanus intensified Tiberius' suspicions against Germanicus and he had "sowed hatreds" between the two during Germanicus's campaigns in Germany (Grant, p. 72).

243-52. On the characters mentioned here, Jonson cites his authorities as Tacitus, Dio, and Suetonius - the same authorities cited earlier.

253-64. *If ... second*. Briggs suggests this echoes Lucan, *The Civil War*, V. 659-60: "Although the date, hastened on by destiny, cuts short a great career, my achievements are sufficient"; II. 108-12: "Caesar was all in all, and the senate met to register the utterance of a private man. Should he demand kingly power and divine honours for himself, and execution and exile for the Senate, the assembled Fathers were ready to give their sanction. Fortunately, there were more things that he was ashamed to decree than Romans were ashamed to allow"; and V. 662: "Rome has seen me take precedence of Mangus."

288[-90]. *They ... temple*. Jonson cites Dio, *Roman History*, LVIII. 9. 4: "the senate was to sit in the temple of Apollo."

296. *Mine enemy*. Jonson's note here reads "Dio, *ibid.*"

299. *Macro is without*. Jonson cites Dio, *Roman History*, LVIII. 9. 4: "Macro ascended the Palatine (for the senate was to sit in the temple of Apollo), and encountering Sejanus, who had not yet gone in, and perceiving that he was troubled because Tiberius had sent him no message, he encouraged him, telling him aside and in confidence that he was bringing him the tribunicial power."

323. *Macro ... welcome.* Jonson cites Dio, *Roman History*, LVIII. 9. 4 (see V. 299n. above).

325. *the noon of night.* Jonson cites Nonius Marcellus's quoting of the phrase *noctis circiter meridiem* from Varr's *Marcipor*.

330[-31]. *That - favours.* Jonson cites Dio, *Roman History*, LVIII. 9. 4 ("he encouraged him").

341. *charged ... night.* Jonson cites Dio, *Roman History*, LVIII. 9. 3: "Macro entered Rome by night."

354[-55]. *I ... thought.* Jonson cites Dio, *Roman History*, LVIII. 9. 4: ("perceiving that he was troubled ... he encouraged him.").

363. *The tribunicial dignity.* Jonson cites Dio, *Roman History* (see V. 299n.), and Suetonius, *Lives*, III. 65: "Tiberius ...made Sejanus believe that he would be ... awarded tribunician power; and then, [took] him off his guard" (Graves, p. 147). Briggs's note on this line reads: "Giving Sejanus the tribunitial power was equivilant to declaring him heir to the throne, as from a constitutional point of view, the emperor's authority rested largely upon it; the important point was that it carried with it the right of veto and of interference in state business, and made the holder's person sacrosanct" (Briggs, p. 276).

391-94. H. & S. point out that this is an adaptation from Seneca, *Thyestes*, 855-77:

Leo, resplendent with fires of summer,
Victim of Hercules, will fall again.

...
And are we chosen out of all earth's children
To perish in the last catastrophe
Of a disjoined universe? Are we
To see the world's end come?

(Seneca, translated by E. F. Watling, pp. 82-83).

400. *Is not my Lord here?.* Jonson cites Dio (the same citation for line 363).

420. *the most honoured.* Jonson cites Dio, *Roman History*, LVIII. See next note.

428. *The mood is changed.* Jonson cites Dio, *Roman History*, LVIII. 5. 2-4: "every word and every look, especially in the case of the most prominent men, was carefully observed. Those now, who hold a prominent position as the result of native worth are not much given to seeking signs of friendship from others ...; but those, on the other hand, who enjoy an adventitious splendour seek very eagerly all such attentions, feeling them to be necessary to render their position complete, and if they fail to obtain them, are as vexed as if they were being slandered and as angry as if they were being insulted ... Consequently the world is more scrupulous in the case of such persons than in the case of the emperors themselves."

432. *All hail.* Jonson cites Brisson, *De formulis*, Book VIII.

435-36. Whalley quoted Juvenal, *Satires*, IV. 74-5: On men

whose drawn white faces reflected
That great and perilous 'friendship'.

(Juvenal, translated by Peter Green, p. 107).

442. *his ... grievous*. Briggs suggests Claudian, *Against Rufinus*, I. 22-3: "He is raised aloft that he may be hurled in more headlong ruin."

454[-55]. *Sanquinius ...dropsy*. Jonson cites Tacitus, *Annals*, VI. 7: Tacitus names Sanquinius as the accuser of Arruntius in A.D. 37. The phrase "slow belly" (l. 455) comes from Juvenal's *abdomine fardus*, used in reference to Montanus in *Satires*, IV. 107, as Briggs points out. -- ("Montanus' belly next /Hove into view, that slow gross paunch ...") Juvenal, *op. cit.*, translated by Peter Green, p. 108).

456. *another*. Jonson cites Tacitus, *Annals*, VI. 4.

458. *Liburnian porters*. Jonson cites Juvenal, *Satires*, III. 239-40:

If a business appointment
Summons the tycoon, *he* gets there fast, by litter,
Tacking above the crowd.

(Juvenal, translated by Peter Green, p. 95).

464-71. *It is ... refrain 'em*. Jonson, in two separate notes on lines 464 and 469, cites Dio, *Roman History*, LVIII. 5. 2-4 (see V. 428n. above).

475[-76]. *When ... gate*. Jonson cites Dio, *Roman History*, LVIII. 9. 6: Macro, "after stationing the night-watch about the temple in [the Pretorians'] place, ... went in, delivered the letter to the consuls, and came out again before a word was read. He then introduced Laco to keep guard there and himself hurried away to the [Pretorian] camp to prevent any uprising."

484[ff.]. *bounteous Lord ...* Jonson cites Dio, *Roman History*, LVIII. 10. 3: before Tiberius's letter was read, senators "had been lauding Sejanus, thinking that he was about to receive the tribunician power, and had kept cheering him, anticipating the honours for which they hoped and making it clear to him that they would concur in bestowing them."

489[-90]. *Caesar ... Empire*. Jonson cites Dio, *Roman History*, LVIII. 5. 1: Sejanus, "to put it briefly, ... seemed to be emperor and Tiberius a kind of island potentate, inasmuch as the latter spent his time on the island of Capreae."

492. *not slack*. Jonson again cites Dio in the same passage quoted above 9V. 484ff. n.). The same passage is also cited in V. 497.

514. *MEMMIVS REGVLVS*. Jonson cites the following sources: Brisson, *De formulis*, Book II; and Justus Lipsius, *Satyra Menippaea*.

516. *Apollo Palatine*. Jonson's marginal note mentions that the Temple of Apollo Palatine was so called because it was situated on the Palatine Hill.

523. *Fathers Conscript*. Jonson again cites Dio, *Roman History*, LVIII. 9. See also note III. 28 above.

531. *tribunical dignity*. Jonson refers the reader to Suetonius, *Lives*, III. 65. See note V. 363 above.

533. Jonson cites Brisson, *De formulis*, Book II.

534[ff.]. *Read...* Jonson cites Dio, *Roman History*, LVIII. 10. 3 (quoted above, V. 484ff. n.).

539-40. *Rome ... envy bounds.* H. & S., (IX. p. 630n.), cite Claudian, *On Stilicho's Consulship*, III. 39: "*solus hic invidiae fines virtute reliquit*", "Stilicho was alone raised above the range of envy."

545-659. (*Tiberius's letter to the Senate*). Dio, *Roman History*, LVIII. 9., 10. 1-5:

"In the meantime the letter was read. It was a long one, and contained no wholesale denunciation of Sejanus, but first some other matter, then a slight censure of his conduct, then something else, and after that some further objection to him; and at the close it said that two senators who were among his intimate associates must be punished and that he himself must be kept under guard. For Tiberius refrained from giving orders out-right to put him to death, not because he did not wish to give such orders, but because he feared that some disturbance might result from such a course. At any rate, he pretended that he could not with safety even make the journey to Rome, and therefore summoned one of the consuls to him. Now the letter disclosed no more than this; but one could observe both by sight and hearing many and various effects produced by it. At first, before it was read, they had been lauding Sejanus, thinking that he was about to receive the tribunician power, and had kept cheering him, anticipating the honours for which they hoped and making it clear to him that they would concur in bestowing them. When, however, nothing of the sort appeared, but they heard again and again just the reverse of what had been expected, they were at first perplexed, and then thrown into deep dejection. Some of those seated near him actually rose up and left him; for they no longer cared to share the same seat with the man whom previously they had prized having as their friend. Then praetors and tribunes surrounded him, to prevent his causing any disturbance by rushing out, as he certainly would have done, if he had been startled at the outset by hearing any general denunciation. As it was, he paid no great heed to the successive charges as they were read, thinking each one a slight matter which stood alone, and hoping that, at best, no further charge. or, in any event, none that could not be disposed of, was contained in the letter; so he let the time slip and remained in his seat."

546[-47]. *If ... so.* Jonson cites Brisson, *De formulis*, Book VII.

562[-63]. *in ... tongues free.* Jonson cites Suetonius, *Lives*, III. 28: "He was, moreover, quite unperturbed by abuse, slander, or lampoons on himself and his family, and would often say that liberty to speak and think as one pleases is the test of a free country" (Graves, p. 129).

582. *no innocence.* Seneca, *On Mercy*, I. i. 9 (H. & S., p. 631n.).

585. *wearied cruelty.* *Ibid.*, I. xi. 2 (*ibid.*).

582-83. *no ... mercy.* Briggs points out the source as Seneca, *On Mercy*, I. i. 9: "nor is there any man so wholly satisfied with his own innocence as not to rejoice that mercy stands in sight, waiting for human errors."

588. *Some there be.* Jonson again cites Dio, *Roman History*, LVIII., and Juvenal, *Satires*, X. (quoted at V. 545-659n.).

604-6. *What we should say ... if we know.* Jonson here quotes from a letter by Tiberius to the senate on the accusation of Marcus Cotta Maximus Messallinus, in Tacitus's *Annals*, IV. 6: "'If I know what to write to you at this time, senators,' he said, 'or how to write it, or what not to write, may heaven plunge me into a worse ruin than I feel overtaking me every day!'" Tacitus adds to this his own comment: "His crimes and wickedness had rebounded to torment himself ... Neither Tiberius' autocracy nor isolation could save him from confessing the internal torments which were his retribution" (Grant, pp. 202-3). Suetonius, *Lives*, III. 67, quotes the same letter, with a slight change: "'My lords, if I know what to tell you, or how to tell it, or what to leave altogether untold for the present, may all the gods and goddesses in

Heaven bring me to an even worse damnation than I now daily suffer!" (Graves, p. 147).

614-16. *beware ... fears*. Cf. Machiavelli, *Discourses*, III. 6: "A prince, therefore, who wants to guard against conspiracies, should fear those on whom he has conferred excessive favours more than those to whom he has done excessive injury. For the latter lack opportunity, whereas the former abound in it, and the desire is the same in both cases; for the desire to rule is as great as, or greater than, the desire for vengeance" (*The Discourses*, edited with an introduction by Bernard Crick, using the translation of Leslie J. Walker, S. J., with revisions by Brian Richardson, Penguin Books (Harmondsworth, 1970, rept. 1987), p. 404). On Jonson's possible borrowings from Machiavelli, see Daniel C. Boughner, "Sejanus and Machiavelli," *SEL*, 1 (1961).

623. *His gout*. Jonson cites Dio, *Roman History*, LVIII. (quoted at V. 545-659n., above). The same passage is cited for line 636 (*be present*), and line 658 (*Haile*).

690-701. In a note on line 692 (the reference should be to line 698 "*His images*" instead), Jonson cites Juvenal, *Satires*, X. 58-66:

The ropes are heaved, down come the statues,
Axes demolish their chariot-wheels, the unoffending
Legs of their horses are broken

...
Hang wreaths on your doors, lead a big white sacrificial
Bull to the Capitol!

(Juvenal, translated by Peter Green, p. 207)

711-12. *as he ... light*. Briggs cites Herodotus, IV. clxxxviii: (on the sun-worship in Lybia), the nomadic Lybians "sacrifice to no gods save the sun and moon." Loeb ed., translated by A. D. Godley (London, 1950).

718. *And this man fall*. Jonson cites Dio, *Roman History*, LVIII. 6. 1: "not even if some had plainly foretold that so great a change would take place in a short time, would anyone have believed it."

733-35. *Fortune ... felicity*. The source for these lines, unacknowledged by Jonson, is Juvenal, *Satires*, X. 365-6:

Fortune has no divinity, could we but see it: it's we,
We ourselves, who make her a goddess, and set her in the heavens.

(Juvenal, translated by Peter Green, p. 217).

737. *Now, great Sejanus*. Jonson again cites Dio, *Roman History* (the passage quoted at 718n. above).

744-46. *And ... advanced*. From Claudian, *Against Rufinus*, II. 447-9: "trodden under foot at the cross-roads him who built pyramids for himself and a tomb, large as a temple, to the glory of his own ghost" (Ayres, *op. cit.*, p. 253n.).

765. *To some great sport, or a new theatre*. H. & S. (IX, 633) cite Seneca, *Hercules Furens*, 838-39: "Great as the host that moves through city streets, eager to see the spectacle in some new theatre; great as that which pours to ... the sacred games."

768-70. Dio, *Roman History*, LVIII. 11. 3: "They hurled down, beat down, and dragged down all his images, as though they were thereby treating the man himself with contumely" (Ayres, p. 254n.).

771[ff.] *Crying in scorne...* Jonson refers the reader to Juvenal, *Satires*, X. 61-4:

And now the fire
 Roars up in the furnace, now flames hiss under the bellows:
 The head of the people's darling glows red-hot, great Sejanus
 Cracks and melts. That face only yesterday ranked
 Second in all the world. Now it's so much scrap-metal,
 To be turned into jugs and basins, frying pans, chamber pots.
 (Juvenal, translated by Peter Green, p. 207).

777[-88]. *the Senate...* Jonson cites Dio, *Roman History*, LVIII. 2. 1-3: "Thereupon one might have witnessed such a surprising proof of human frailty as to prevent one's ever again being puffed up with conceit. For the man whom at dawn they had escorted to the senate-hall as a superior being, they were now dragging to prison as if no better than the worst; on him whom they had previously thought worthy of many crowns, they now lay bonds; him whom they were wont to protect as a master, they now guarded like a run-away slave, uncovering his head when he would fain cover it; him whom they had adorned with the purple-bordered toga, they struck in the face; and him whom they were wont to adore and worship with sacrifices as a god, they were now leading to execution. The populace also assailed him, shouting many reproaches at him for the lives he had taken and many jeers for the hopes he had cherished."

777[-78]. *the Senate ... again.* Jonson cites Dio, *Roman History*, LVIII. 11. 4: "that very day, the senate assembled in the temple of Concord not far from the jail, when they saw the attitude of the populace ..., and condemned him to death."

779-85. Juvenal, *Satires*, X. 85-88:

'Come on, then, quickly, down to the river -
 Boot Caesar's foe in the ribs while his corpse is still on show.'
 'Yes, and make ourselves watch us - eyewitnesses can't deny it,
 Can't drag their wretched masters into court at a rope's end.'
 (Juvenal, translated by Peter Green, p. 208).

799[-804]. Cf. Jonson cites Juvenal *Satires*, X. 67-77:

'Just look at that
 Ugly stuck-up face,' they say. 'Believe me, I never
 Cared about the fellow.' 'But what was his crime? Who brought
 The charges, who gave evidence? How did they prove him guilty?
 'Nothing like that: a long and wordy letter arrived
 From Capri.' Fair enough: you need say no more.' And what
 Of the commons? They follow fortune as always, and detest
 The victims, the failures. If a little Etruscan luck
 Had rubbed off on Sejanus, if the doddering Emperor
 Had been struck down out of the blue, this identical rabble
 Would now be proclaiming that carcass an equal successor
 To Augustus

(Juvenal, translated by Peter Green, p. 207).

805. *Sentence by the Senate.* Jonson's note refers to Dio (the passage quoted in 777n., above).

807[-11]. *that ... from limb.* Jonson quotes Seneca, *On Tranquility of Mind*, XI. 11: "Yet on the day on which the senate played the escort, the people tore him to pieces."

814-32 H. & S. (IX. p. 634n.), ascribe this passage to Claudian, *Against Rufinus*, II. 427-32, 410-17, 451-3.

815-32. The source of this passage, not acknowledged by Jonson, is Claudian, *Against Rufinus*, II. 410-53:

"They stamp on that face of greed and while yet he lives pluck out his eyes; others seize and carry off his severed arms. One cuts off his foot, another wrenches a shoulder from the torn sinews; one lays bare the ribs of the cleft spine, another his liver, his heart, his still panting lungs. There is not space enough to satisfy their anger nor room to wreak their hate. Scarce when his death had been accomplished do they leave him; his body is hacked in pieces and the fragments borne on the soldiers' spears. Thus red with blood ran on the Boeotian mountain when the Maenads caused Pentheus' destruction or when Latona's daughter seen by Actaeon betrayed the huntsman, suddenly transformed into a stag, to the fury of her Molossian hounds ... The citizens leave the town and hasten exulting to the spot from every quarter, old men and girls among them nor age nor sex could keep at home. Widows whose husbands he had killed, mothers whose children he had murdered hurry to the joyful scene with eager steps. They are fain to trample the torn limbs and stain their deep pressed feet with the blood. So, too, they eagerly hurl a shower of stones at the monstrous head, nodding from the summit of the spear that transfixed it as it was carried back in merited splendour to the city.... See, he who owns the world lies denied six foot of earth, halfe covered with a sprinkling of dust, given no grave yet given so many." (Quoted by Philip J. Ayres, *op. cit.*, pp. 267-68n).

839-56. *A son ... Gemonies*. Jonson's source for these lines is Tacitus, *Annals*, V. 9: "Yet retribution was now decreed against [Sejanus's] remaining children. They were taken to prison. The boy understood what lay ahead of him. But the girl uncomprehendingly repeated: 'What have I done? Where are you taking me? I will not do it again!' She could be punished with a beating, she said, like other children. Contemporary writers report that, because capital punishment of a virgin was unprecedented, she was violated by the executioner, with the noose beside her. Then both were strangled, and their young bodies thrown on to the Gemonian Steps" (Grant, p. 199). Jonson also cites Dio, *Roman History*, LVIII. 11. 5: "His children also were put to death by decree, the girl (whom he had betrothed to the son of Claudius) having been first outraged by the public executioner on the principle that it was unlawful for a virgin to be put to death in the prison."

840[-41]. *There is not so much remaining*. Jonson cites Seneca, *On Tranquility of Mind*, xi. 1: "Of the man who had had heaped upon him all the gods and men were able to bestow nothing was left for the executioner to drag to the river!"

846. *The girl so simple*. On the murder of Sejanus's son and daughter, Jonson cites Tacitus, *Annals*, V. 9: (see V. 839-56 above). Jonson also cites Dio, who reports the same story about the simplicity of Sejanus's daughter, LVIII. 11. 5.

850. *no virgin immature*. Jonson's note shows that he has followed Lipsius's comment on Tacitus's *Annals*.

855-56. *O ... world*. H. & S. cite Seneca, *Thyestes*, 1094-5:

may darkness
Cover these vast immeasurable sins
For evermore.

(Seneca, translated by E. F. Watling, p. 92).

859. *the mother ... Drusus*. Jonson cites Dio, *Roman History*, LVIII. 11. 6: "His wife Apicata was not condemned, to be sure, but on learning that her children were dead, and after seeing their bodies on the Stairway, she withdrew and composed a statement about the death of Drusus, directed against Livilla, his wife, who had been the cause of

a quarrel between herself and her husband, resulting in their separation; then, after sending this document to Tiberius, she committed suicide. It was in this way that Tiberius came to read her statement; and when he had obtained proof of the information given, he put to death Livilla and all the others therein mentioned."

860. *Degrees*. Jonson's marginal note explains this as the steps of the Gemonies on which the bodies of the condemned were dragged.

867-69. *force ... again*. These lines, as H. & S., p. 635n., pointed out, refer to Seneca's *Thyestes*, 784ff.:

The Lord of Heaven, the Sun
May turn his chariot back and drive away;
Black night may rise untimely from the east,
And total darkness in the midst of day
Veil this atrocious deed; but you must see
And know your own misfortune to the full.
(Seneca, *op. cit.*, translated by E. F. Watling, pp. 79-80).

868-69. *the old /Deforméd Chaos*. From Seneca, *Thyestes*, 831-2:

Is all the order of the universe plunged into chaos?
(Seneca, *op. cit.*, p. 81).

875. *Whilst Liuia*. Jonson cites Dio, *Roman History*, LVIII. 11. 6, also cited at V.859n., above.

881-82. *now ... done*. Riddell, ("Seventeenth-Century Identifications", p. 208), suggests Seneca, *Troades*, 1119, "the throngs of Greeks wept for the crime it wrought."

893ff. *Forebeare ...* H. & S., (IX. p. 635n.), cite Claudian, *In Rufinum*, 440-1, and Juvenal, *Satires*, X. 103-7 (of Sejanus):

His interminable pursuit
Of excessive wealth and honours built up a towering
Edifice, storey by storey, so that his final downfall
Was that degree greater, the crash more catastrophic.
(Juvenal, *op. cit.*, p. 208).

902-3. *For whom ... doth lie*. Briggs cites Seneca, *Thyestes*, 613-14:

Some, whom the rising sun sees high exalted,
The same sun may see fallen at its departing.
(Seneca, *op. cit.*, translated by E. F. Watling, p. 71);

and *Hercules Oetaeus*, 641-42: "Whom Cynthia saw in happiness, the new-born day sees wretched."

Appendix B

***Catiline* and Its Sources**

Appendix B

Catiline: The Play and Its Sources

Two plays on the conspiracy of Catiline had existed before Jonson wrote his play on the same theme:

1. Stephen Gosson, in his *School of Abuse*, 1579, p. 23, mentioned that he had written a play, *Catilins conspiracies*, "a Pig of mine owne Sowe"; "the whole mark which I shot at in that worke, was to shewe the rewarde of traytors in *Catiline*, and the necessary gouernment of learned men, in the person of Cicero, which forsees euery danger that is likely to happen, and forstalles it continually ere it takes effect" (Quoted by H. & S., *Ben Jonson*, X, p. 117).

2. Robert Wilson and Henry Chettle are thought to have collaborated on a play entitled "cattelanes consperesey", as Henslowe spells it in his *Diary* in 1598, showing that between 21 and 29 August he paid on behalf of the Admiral's men £1.5s. for the two dramatists.

Another contemporary play related more or less to the Catilinarian theme was Thomas Lodge's *The Wounds of Civil War*, first performed between 1585 and 1591, and published in 1594. The subject matter of Lodge's historical tragedy is, however, concerned with the civil wars of Marius and Sulla, a phase preceding the period dramatized in Jonson's play, and covers a period of ten years between the start of the civil war in Rome in 88 B.C. and the death of Sulla in 78 B.C. (See Joseph W. Houppert's edition of Lodge's play, *The Revels Plays* (London, 1970), esp. the 'Introduction', pp. xi-xxi.

Jonson's major historical sources for *Catiline*

Constantius Felicius Durantinus, *de coniuratione L. Catilinae liber* (1518).

Sallust, *De Coniuratione Catilinae* (*Catiline's Conspiracy*).

Cicero, *Catiline Orations*.

Dio Cassius, *Roman History*.

Plutarch, "*Life of Cicero*", *Parallel Lives*.

Whether Jonson consulted any of these plays before writing his *Catiline* is hard to establish with certainty, although it is highly unlikely that he relied upon the subject matter of those plays. For the classically erudite dramatist, a variety of Greek and Latin sources on the Catilinarian conspiracy lay available. Jonson, as the textual evidence shows, consulted all the sources available to him and paid painstaking attention to minute details, transforming in the process of his research historical material into dramatic composition.

Jonson's minor historical sources for *Catiline*

- Q. Asconius Pedianus, *in orationem Ciceronis in senatu in toga candida enarratio*
(Commentary on Cicero's *Oratio in toga candida*).
- M. Tullius Cicero, *oratio pro Caelio*.
-----, *de consulatu suo poema*.
-----, *oratio secunda de lege agraria contra Rullum* (The second speech on
the Agrarian Law).
-----, *oratio pro Murena*.
-----, *de officiis*.
-----, *in M. Antonium oratio Philippica II*.
-----, *oratio in L. Calpurnius Pisonem* (The Speech against Lucius Calpurnius
Piso).
-----, *oratio pro Sulla*.
- Q. Cicero, *de petitione consulatus*.
Claudian, *Gigantomachia* (The Battle of the Giants).
-----, *In Rufinum II* (The Second Book Against Rufinus).
Erasmus, Desiderius, *Parabolae* (Omnia Opera).
Florus, Lucius Annaeus, *Epitome bellorum omnium annorum DCC* (Epitome of Roman
History).
Homer, *Odyssey*.
Horace, *Epodi* (Epodes).
-----, *Epistulae* (Epistles).
-----, *Carmina Seculare*.
-----, *Satire*.
Juvenal, *Satires*.
Livy, *ab urbe condita libri* (The Early History of Rome).
Lucan, *Pharsalia*, or *The Civil War* (*Belli civilis libri decem*).
Lucretius, *de rerum natura libri sex* (On the Nature of the Universe).
Ovid, *Ars Amatoria*.
-----, *Metamorphoses*.
-----, *Remedia Amoris*.
Gaius Petronius Arbiter, *Satyricon*.
Pliny the Younger, *Epistulae* (Epistles or Letters and Panegyrics).
Plutarch, *Parallel Lives* (Antony, Caesar, Cicero, Crassus, and Sulla).
Seneca, *Agamemnon*.
-----, *de ira* (On Anger).
-----, *Hercules Furens*.
-----, *Octavia*.
-----, *Oedipus*.
-----, *Phaedra*.
-----, *Thyestes*.
-----, *Epistulae morales* (Moral Letters).
Porcius Latro, *declamatio contra L. Sergium Catilinam*.
Statius, *Thebais*.
Suetonius, *Divus Julius* (The Deified Julius).
Tacitus, *The Histories*.
Virgil, *Aeneid*.

Jonson had access to these sources in their Latin versions (no translated texts). Besides, he partly relied on the history of the jurist Felicius (Constanzo Felice of Castel Durante near Ancona), first published in 1518 and later reprinted in the Sallust folio. Sallust's narrative of the conspiracy of Catiline, Felicius commented, was incomplete; this stimulated Felicius to fill in the gaps found in Sallust from Cicero's records and other sources: "*Quid enim gloriosius M. Ciceroni contigere potuit, quàm ut Pater patriae nominaretur? nullum fit de hoc à Salustio uerbum. Siletur de supplicatione, qui honos tunc maximus putabatur*" (H. & S., Ben Jonson, X, p. 118). In addition to

filling in the gaps of Sallust's narrative, Felicius's further achievement lies in his paraphrase of Cicero and Sallust and his addition of a few speeches with a special oratorical sense. For instance, Felicius drew upon Cicero's second oration against Catiline in which six different types of conspirators are analysed. Moreover, the first forty lines of Petronius's speech at the opening of Act five have been copied from Felicius by Jonson. The dramatist closely followed Felicius in reducing the six types of conspirators, recorded in Cicero, into three. Jonson, with all the sources available to him, also chose Felicius's imaginative account of the meeting between the Allobroges and the conspirators, an episode less attractively recorded by Sallust.

ACT ONE

1. *Sylla's Ghost* is modelled on Tantalus in Seneca's *Thyestes*. Besides, in Lucan, *Pharsalia*, I. 580-81, Sulla's ghost is a genius instigator of civil war (H. & S., X, p. 124n.): "The ghost of Sulla was seen to rise in the centre of the Campus and prophesied disaster" -- Lucan, *Pharsalia*, translated by J. D. Duff, The Loeb Classical Library (London, 1969), p. 45. All references to Lucan's *Pharsalia* will henceforth be made from this translation.

The influence of Sulla on Catiline is implied in Sallust, *Catilina*, 5²: "After the dictatorship of Lucius Sulla, Catiline had been possessed by an overmastering desire for despotic power, to gratify which he was prepared to use any and every means" (Sallust, *The Conspiracy of Catiline*, translated with an introduction by S. A. Handford, Penguin Books (Harmondsworth, 1963, rept. 1987), p. 178. All references to Sallust's *Catilina* will be from this edition, henceforth referred to as "Handford", followed by the page number(s).

9. *What sleepe ... like death.* Virgil, *Aeneid*, 6. 522: "I was then in my disastrous marriage-room, exhausted by anxieties and lying in a heavy sleep; a sweet, profound rest, very like the calm of a peaceful death, weighed me down" (translated into English prose with an introduction by W. F. Jackson Knight, Penguin Books (London, 1956, rept. 1958), p. 163).

11-12. *Behold, I come ... the ground*, and 14. *Or like a pestilence.* Seneca, *Thyestes*, 87-89 (H. & S., X, p. 124):

Am I commanded now to issue forth
Like noxious vapour boiling from the ground
Or some foul pestilence to spread destruction
Over the face of earth?

(Seneca, *Four Tragedies and Octavia*, translated with an introduction by E. F. Watling, Penguin Books (London, 1966), p. 48)

24. *And Hannibal ...* As H. & S., (X, p. 124n.), pointed out, Jonson is here slightly indebted to Florus, *Epitomae de Tito Livio*, II. xii. 2: Catiline is described as attempting "utterly to overturn the whole State and entertain every kind of design of which not even Hannibal seems to have thought!" (Florus, *Epitome of Roman History*, translated by Edward Seymour Forster, The Loeb Classical Library (London, 1947), pp. 261-63).

25. *Let the long-hid seeds ... to more.* Sallust, *Catilina*, 5²: "From his youth [Catiline] had delighted in civil war, bloodshed, robbery, and political strife, and it was in such occupations that he spent his early manhood... His monstrous ambition hankered continually after things extravagant, impossible, beyond his reach. After the dictatorship of Lucius Sulla, Catiline had been possessed by an overmastering desire for

despotic power, to gratify which he was prepared to use any and every means" (Handford, p. 17).

31-34. *thy forcing first a Vestall nunne, ... nuptialls.* Jonson quotes from Sallust, *Catilina*, 15: "Catiline had in his early days engaged in many scandalous intrigues - one with a maiden of noble birth, another with a priestess of Vesta, not to mention similar offences against law and morality. He ended by falling in love with Auelia Orestilla ... when she hesitated to marry him because she was afraid of his grown-up son by a previous marriage, he murdered his son in order to clear the house of an impediment to this unhallowed union" (Handford, pp. 184-85). Another source for Catiline's murder of his son is Cicero, *Catiline Orations*, I. 14; Cicero addressed Catiline: "think of the time when by means of your former wife's death you secured that your house should be vacated and free for a further marriage. You supplemented that ghastly deed by another so appalling that it is scarcely believable [a reference to the murder of his son soon after his marriage to Aurelia Orestilla] ..." (Cicero, *Selected Political Speeches*, translated with an introduction by Michael Grant, Penguin Books, revised edition (London, 1969, rept. 1989), p. 83. All citations to Cicero, *Catiline Orations* will be made from this edition, henceforth referred to as "Grant", followed by the page number(s).

35-36. *that act ... a wife.* Plutarch, *Life of Cicero, Parallel Lives*, 10: "Catiline ... was guilty of many serious crimes and had once been accused of taking the virginity of his own daughter and of killing his own brother" (Plutarch, *Fall of the Roman Empire*, translated by Rex Warner with introduction and notes by Robin Seager, Penguin Books (London, 1958, rept. 1970), p. 321).

37-38. *I leaue the slaughters... /Of Senators.* Q. Cicero, *De Petitione Consulatus*, 9-10: Catiline killed a number of Gallic knights, among whom was Quintus Caeilius, his brother-in-law, and Marcus Gratidianus, a relative of Marius and of Cicero, after he had tortured him.

38-40. *I hid ... proscrib'd.* Plutarch, *Life of Cicero, Parallel Lives*, 10: (see note on 35-36 above). Also, *Life of Sulla*, 32: Catiline "had murdered his brother before the civil war was over, and now he asked Sulla to add his brother's name to the list of the condemned, as though the man was still alive. Sulla did this for him and, by way of showing his gratitude, Catiline killed a man of the opposite party called Marcus Marius and brought his head to Sulla as he was sitting in the forum" (Plutarch, *Fall of the Roman Empire*, translated by Warner, p. 106).

47. *though defeated ... and knowne.* Sallust, *Catilina*, 18: Sallust reported "a similar plot which Catiline and a few others had previously formed against the state" (Handford, p. 187); also Cicero, *Catiline Orations*, I. 15: "There are all your attempts, for example, to kill myself, when I was consul elect, and again when I had assumed the consulship" (Grant, p. 84).

55-63. Seneca, *Thyestes*, 29-32:

Leave none

The respite for remorse; let crimes be born

Ever anew and, in their punishment,

Each single sin give birth to more than one.

(Seneca, *Four Tragedies and Octavia*, translated by E. F. Watling, p. 46)

Ibid., 47-53:

Nor shall the heavens

Be unaffected by your evil deeds:

What right have stars to twinkle in the sky?

Why need their lights still ornament the world?
 Let night be black, let there be no more day.
 (*Ibid.*, p. 47)

Thyestes, 29-32: "Let time be given to none to hate old sins - ever let new arise, many in one, and let crime, e'en midst its punishment, increase." (*Seneca's Tragedies*, in Two Volumes, translated by Frank Justus Miller, Loeb Classical Library (London, 1917), II, p. 95. *Ibid.*, 47-53: "let fraternal sanctity and faith and every right be trampled under foot. By [y]our sins let not heaven be untainted - why do the stars glitter in the sky? Why do their fires preserve the glory due to the world? Let the face of night be changed, let day fall from heaven. Embroil thy household gods, summon up hatred, slughter, death, and fill the whole house with Tantalus" (*Ibid.*, pp. 95, 97).

79-80. *The ills ... greater.* Seneca, *Agamemnon*, 115: "The only safe road along the paths of crime, is to be armed with those forces which are antagonistic to the consequences arising out of crime" (*Seneca's Tragedies*, Text with Translation by W. Bradshaw, Loeb Classical Library (London, 1902), p. 479).

92ff. *If shee can loose her nature ...* This is a possible adaptation of Lucan, *Pharsalia*, I. 2-3: "I tell how an imperial people turned their victorious right hands against their own vitals; how kindred fought against kindred ..." (Lucan, *Pharsalia*, translated by J. D. Duff, p. 3).

119-120. *He that, building ... none.* H. & S. (X, p. 125), compare these two lines with Herrick, *Hesperides* (edited by Moorman, p. 292), "Beginning, difficult":

Hard are the two staires unto a Crowne;
 Which got, the third, bids him a king come downe.

124. *came with thy wealth.* Sallust, *Catilina*, 36: Catiline, in a letter to Catulus, acknowledged the financial help offered to him by the wealth of his wife Orestilla: "It was not that I could not have paid my personal debts by selling some of my estates - and as for the loans raised on the security of others, the generosity of Orestilla would have discharged them with her own resources and those of her daughter" (Handford, p. 201). In Jonson's play there is no mention of Orestilla's daughter.

126. Bolton and Gardner, in their edition of *Catiline* (London, 1973), p. 188, compare this line with Horace, *Carmen Saeculare*, I. 1. 63: "Qui salutari levat arte fessos /Corporis artus" (Horace, *Odes, Carmen Saeculare and Epodes*, edited by E. C. Wickham (Oxford, 1891), p. 137).

131. Cicero, *Pro Caelio*, V. 11-12: "Yes, Caelius [Rufus] did support Catiline ...; and many, of all ranks and ages, have done the same. For this Catiline ... showed in himself numerous features of excellence, if not firmly modelled, at least drawn in outline. He associated with many depraved persons." -- *The Speeches of Cicero*, translated by R. Gardner, The Loeb Classical Library (London, 1957), p. 419. Also, *op. cit.*, VI. 13: "Who, at one time, could make himself more agreeable to more illustrious persons [this could be a hint by Cicero to Catiline's connexion with Crassus and Caesar in 66 and 65 B.C.], who was more closely intimate with baser men?" Cicero, (*ibid.*), mentions Catiline's "paradoxical qualities" in dealing with people of different kinds: "to be serious with the austere, gay with the lax, grave with the old, amiable with the young, daring with criminals, dissolute with the depraved. And so this complex and versatile spirit, at the very time when he had gathered round him every wicked and reckless man from every land, still held fast many good men and true by kind of semblance of pretended virtue" (*The Speeches of Cicero*, translated by Gardner, Loeb Classical Library, p. 421).

135-38. *the Sybill's bookes ... Rome*. Jonson quotes from Sallust, *Catilina*, 47; when Lentulus pretended to know nothing about the conspiracy, the Gauls "proved his guilt by referring to his letter and by repeating words which he had often used. 'The Sibylline books', he had said, 'prophesied that Rome would be ruled by three Cornelii; Cinna and Sulla had been the first two, and he himself was the third who was destined to be master of the city'" (Handford, p. 211); Plutarch, *Life of Cicero*, 17: Lentulus "was carried ... in the wrong direction by the empty hope, held out to him by false prophets and fortune tellers who recited forged oracles in verse, which were supposed to have come from the Sibylline books and which declared that three Cornelii were fated to enjoy absolute power in Rome; that two of these, Cinna and Sulla, had already fulfilled their destiny; that now the powers above were coming to him, the third and last Cornelius, and were offering him absolute power ..." (Plutarch, *Fall of the Roman Empire*, translated by R. Warner, p. 328); and Cicero, *Catiline Orations*, III, 9: "Lentulus, [the Allobroges] reported, had addressed them with a declaration, emanating from oracles of the Sibyl and assurances by soothsayers, indicating that he was the third member of the Cornelian family (after Cinna and Sulla) to whom the kingship and sovereignty of our city were destined to come" (Grant, p. 114).

143. *Goe on ... lighting*. Seneca, *Medea*, 424-25: "I will appeal direct to the Gods, but I will put every thing in motion as low down as Acheron, if needs be!" -- *The Ten Tragedies of Seneca*, translated by W. Bradshaw, p. 431, cited by W. D. Briggs, "Source-Material for Jonson's Plays," *Modern Language Notes*, vol. XXXI (April, 1916), p. 195.

149-50. *As Cvrius, ... Lentvlvs ... in the Senate*. Sallust, *Catilina*, 23; Curius and Lentulus were among the sixty-four members "whom the censors had expelled from the Senate for immoral conduct" in 70 B.C. (Handford, p. 191). On Curius, Jonson's source is Sallust, *ibid*: "Among the conspirators was Quintus Curius, a man of good birth but sunk over head and ears in infamy and crime" (Handford, p. 191). On Lentulus, Jonson draws on Plutarch, *Life of Cicero*, 17: (see Plutarch, *Fall of the Roman Empire*, translated by R. Warner, pp. 327-28).

157-61. *Some, whom their wants oppresse a change*. Jonson paraphrases passages from Sallust, *Catilina*, 28⁴: "Meanwhile, in Etruria, Manlius was agitating among a populace whose poverty, added to the resentment which they left at their wrongs, made them eager for revolution; for during Sulla's tyranny they have lost their lands and all the rest of their possessions. He also approached some of the many types of brigands who infested that part of the country, as well as some veteran soldiers from Sulla's 'colonies', whose lavish indulgence of their appetites had exhausted the enormous booty they had brought home" (Handford, p. 196). Another source for this line is Cicero, *Catiline Orations*, II. 8: Cicero calls Catiline's fellow-conspirators "the infamous swarms of desparate men" (Grant, p. 98). Cicero adds: "They have squandered their inheritances, mortgaged their properties. Their money has long since run out, and recently credit has begun to fail them too. And yet the filthy tastes they indulged when there were funds to spare are still very much in evidence" (Grant, p. 98).

162-80. *Those, ... /Or cost, or modestie*. Jonson quotes and adapts from Sallust, *Catilina*, 14: "all who were in disgrace or afflicted by poverty or consciousness of guilt, were Catiline's intimate associates. And if anyone as yet innocent happened to become friendly with him, the temptations to which daily intercourse with Catiline exposed him soon made him as evil a ruffian as the rest. It was above all the young whose intimacy he sought; their minds, being still impressionable and changeable, were easily snared. In order to gratify the youthful desires of each, he procured mistresses for some, bought dogs and horses for others, and spared neither his purse nor his honour to put them under obligations and make them his faithful followers" (Handford, p. 184).

179-185. A possible source for these lines is Cicero, *pro Caelio*, VI. 13: "to attach many by friendship, to retain them by devotion; to share what he possessed with all, to be at the service of all his friends in time of need, with money, influence, personal exertion, and, if it were needful, with reckless crime; to guide and rule his natural disposition as occasion required, and to bend and turn it this way or that" (*The Speeches of Cicero*, translated by R. Gardner, p. 421).

194. *rosy-finger'd*. This is Homer's famous epithet of dawn. Spencer had also used it in *The Faerie Queene* (I. ii. 7): "rosy-fingered faire".

226. *the degenerate, talking gowne*. Lucan, *Pharsalia*, I, 365: "will you submit to the disgrace of wearing the toga ...?" -- Lucan, *Pharsalia*, translated by J. D. Duff, p. 31.

229-47. *O, the dayes ... the prey*. Jonson quotes Lucan, *Pharsalia*, II. 101-11: "High and low were slain alike; the sword strayed far and wide; and no breast was spared the steel. Pools of blood stood in the temples; constance carnage wetted the red and slippery pavement. None was protected by his age: the stayer did not scruple to anticipate the last day of declining age, or to cut short the early prime of a hapless infant in the dawn of life. How was it possible that children should deserve death for any crime? But it was enough to have already a life to lose. The violence of frenzy was itself an incentive; and it was deemed the part of a laggard to look for guilt in a victim. Many were slain merely to make up a number; and the bloodstained conqueror seized a head cut off from a stranger's shoulders, because he was ashamed to walk with empty hands" (Lucan, *Pharsalia*, translated by J. D. Duff, p. 65).

247-48. Jonson quotes from Petronius Arbiter, *Satyricon*, 121, 177-79:

The ferryman Charon will be too weak
To ferry the shades in his boat -- there will be need of a fleet.
(Petronius, *Satyricon*, translated by J. P. Sullivan, p. 133), cited by Briggs (*ibid.*) and by H. & S., X, p. 127n.

Another source for these lines, also cited by Briggs, is Seneca, *Oedipus*, 166-69:

And the guardian of the angry waters, with his boat that takes all in -
Even he, the most indefatigable age-old ferryman,
Is almost weary of pulling at his never-resting oar,
For ever carrying fresh multitudes across the river.
(Seneca, *Four Tragedies and Octavia*, p. 215)

250-53. *The mawes ... with the dead*. Lucan, *Pharsalia*, II. 152-53: "The tombs are filled with fugitives, and the bodies of the living consorted with buried corpses; and the lairs of wild beasts were crowded with men" (Lucan, *Pharsalia*, translated by J. D. Duff, p. 69).

278-79. *The statues ... of the citie*. As H. & S., (X, p. 127n.), have pointed out, the source is Lucan, *Pharsalia*, I. 556-57: "The sweating of the household gods bore witness to the city's woe" (translated by J. D. Duff, p. 43).

292ff. (Names of the conspirators *Autronivs*, ... *Gabinivs*, ...) Jonson's source is Sallust, *Catilina*, 17: Catiline "convened a general meeting of the neediest and most reckless of his acquaintance. It was attended by the senators Publius Lentulus Sura, Publius Autronius, Lucius Cassius Longinus, Gaius Cethegus, Publius and Servius Sulla the sons of Servius Sulla, Lucius Vargunteius, Quintus Annius, Marcus Porcius Laeca, Lucius Bestia, and Quintus Curius..." (Handford, p. 186).

313. (stage direction) *A darkness comes over the place.* An adaptation of Plutarch, *Life of Cicero*, 14: Catiline, Plutarch reported, had planned to kill Cicero during the general disturbance of election day, 62 B.C. "Heaven itself, it seemed, was foretelling these events; there were earthquakes, thunderbolts, and apparitions" (Plutarch, *Fall of the Roman Empire*, translated by R. Warner, p. 324). This is a revealing example of how greatly Jonson made use of his material and was masterfully able to transform the minute details in his sources into dramatic composition.

313-14. *The day goes back ... feast.* Adapted from Seneca, *Thyestes*, 776-88, when Thyestes is served up to a feast of the flesh of his two sons by Atreus, at a point when the sun goes back in horror of the scene:

O patient Phoebus
Thy light was sunk in darkness at mid-day
And thou hadst fled - thou shouldst have left us sooner!
The father bites into his children's bodies,
Chews his own flesh in his accursed mouth.
..... The Lord of Heaven, the Sun
May turn his chariot back and drive away;
Black night may rise untimely from the east,
And total darkness in the midst of the day
Veil this atrocious deed.

(Seneca, *Four Tragedies and Octavia*, translated by E. F. Watling, pp. 79-80)

314. *The day goes back /Or else my senses.* The source is Lucan, *Pharsalia*, I. 540-44: "The sun himself, while rearing his head in the zenith, hid his burning chariot in black darkness and veiled his sphere in gloom, forcing mankind to despair of daylight; even such a darkness crept over to Mycenae, the city of Thyestes, when the sun fled back to where he rose" (Lucan, *Pharsalia*, translated by J. D. Duff, p. 43).

315. *the Vestall flame ... out.* As H. & S. pointed out (p. 127n.), citing Livy (XXVIII. xi); the historian reported in 206 B.C. many portents which Romans interpreted as fortunate or unfortunate omens sent by the gods. "More terrifying to men than all the prodigies ...," Livy added, "was the extinction of the fire in the Temple of Vesta" (Livy, with an English Translation, in Fourteen Volumes, VIII., translated by Frank Gardner Moore, Loeb Classical Library (London, 1949), p. 47).

317. *We fear ... faine.* H. & S. cited Lucan, *Pharsalia*, I. 486: "Thus each by his fears adds strength to rumour, and all dread the unconfirmed dangers invented by themselves" (Lucan, *Pharsalia*, translated by Duff, p. 39).

320. *A bloody arme ... pine.* Lucan, *Pharsalia*, I. 572-3:

"for the giant figure of a Fury stalked round the city, shaking her hissin hair ["she had snakes for hair"] and a pine-tree whose flaming crest she held down-wards" (Lucan, *Pharsalia*, p. 45).

326-420. For Catiline's speech to his fellow conspirators, Jonson quotes extensively from Sallust's report in *Catilina*, 20: "'Were I not assured by your courage and loyalty, I could not use this favourable opportunity that fortune has vouchsafed me. However high our hopes, however easy it might have seemed for us to seize power, all would have been in vain. For with only cowards or triflers to rely on, I for one could not throw away a certainty to grasp at a hazardous chance [ll. 326-31]. It is because I have found you brave and faithful to me on many important occasions, that I venture to embark on a great and noble enterprise; also because I have observed that what seems good or bad to me seems so to you: for identity of likes and dislikes is the one solid foundation of friendship [ll. 332-38]."

"The projects which I have been turning over in my mind have already been explained to each of you separately. But for my own part, every passing day kindles my enthusiasm more and more when I think what will be our lot unless we ourselves assert our claim to liberty [ll. 339-344]. Ever since the state came under the jurisdiction and control of a powerful oligarchy, it is always they who receive tribute from foreign kings and princes and rake in taxes from every people and tribe [ll. 345-354]. The rest of us, however energetic and virtuous we may be, whether our birth be noble or base, are but a crowd of nobodies without influence or authority, subservient to men who in a soundly governed state would stand in awe of us [ll. 355-60]. Thus all influence, power, office, and wealth are in their hands or where they choose to bestow them; all they leave for us is danger, defeat, prosecutions, and poverty [ll. 361-63]. How long, brave comrades, will you endure it. Is it not better to die courageously and have done with it, than to drag out lives of misery and dishonour as the playthings of other men's insolence, until we lose them ignominiously in the end? [ll. 346-67] But in truth - I call on gods and men to witness it - victory is within our grasp. We have the strength of youth and we have stout hearts, whereas our opponents are enfeebled by age and soft living [ll. 368-371]. We have but to make a start: the rest will follow easily [ll. 372-73]. Can anyone who has the spirit of a man endure that they should have a superfluity of riches to waste in building out into the sea and levelling mountains, while we lack means to buy necessities? They have two, three, or four houses joined together, when we have not a home to call our own [ll. 375-83]. Though they buy pictures, statues, and vessels of chased metal [l. 384], though they pull down houses to build others [l. 392], laying waste their wealth and making inroads upon it in every imaginable way, yet all their extravagance cannot exhaust it [ll. 394-398]. For us there is destitution at home and debts everywhere else; misery now, and a still worse future to look forward to; we have nothing left, in fact, save the breath we draw in our wretchedness [ll. 406-9].

"Awake, then! Here, here before your eyes, is the liberty that you have often yearned for, and withal affluence, honour, and glory, all of which fortune offers as the prizes of victory [ll. 409-412]. Consider your situation and your opportunity, the peril and want that beset you, and the rich spoil that may be won in war: these plead more strongly than any words of mine [ll. 413-15]. Use me as your commander or as a soldier in the ranks: my heart and my hands shall be at your service. These are the objects I hope to help you achieve when I am your consul - unless indeed I deceive myself and you are content to be slaves instead of masters [ll. 416-20]" (Handford, pp. 188-90).

356. *As we were .. corne.* Horace, *Epistle*, I. ii. 27:

But we, mere numbers in the book of life,
Like those who boldly woo'd our hero's wife,
Born to consume the fruits of earth."

(*Satires and Epistles of Horace*, in Latin and English, the English Version by Philip Francis (London, 1906), p. 173)

388-90. Petronius, *The Satyricon*, 119, 53-56: "The Belly"

Pulls oysters from the Lucrine Lake,
To make a sale to the palate,
The high price most of the flavour.
The Phasian Lake emptied for birds.

(Translated by J. P. Sullivan, p. 130)

391. *witty gluttony.* Petronius, *Satyricon*, 119, 49: "The Belly, miracle of ingenuity" (*ibid.*).

396. *Vexe their wild wealth...* H. & S. (p. 129), compared this line with Martial, *Epigrams*, ix. 59. 2: "here where Golden Rome flings about her wealth" (*Martial*

Epigrams, with an English Introduction by Walter C. A. Ker, The Loeb Classical Library, (London, 1920), vol. II, p. 115).

397-400. Petronius, *The Satyricon*, 120, 136-39:

The seas are dammed by dykes of stone
And other seas spring up within their fields -
A rebellion against the order of all things.

(Translated by, J. P. Sullivan, p. 132)

425. *Differing hurts* ... Lucan, *Pharsalia*, I. 281: "delay is ever fatal to those who are prepared" -- Lucan, *Pharsalia*, translated by, J. D. Duff, pp. 23-24.

426-28. *Yet, ere we enter ... would be?* Sallust, *Catilina*, 21: "Most of them [i.e. the conspirators] ... asked Catiline to explain on what lines he intended to conduct the war, what were the prizes they would be fighting for, and what help they could count on or might hope to obtain from various quarters" (Handford, p. 190).

436-41. *And, for the meanes, Pompey*. Jonson quotes and rearranges material from Sallust, *Catilina*, 16⁵: "The Senate suspected nothing and everything seemed quiet and secure - which gave him just the opportunity he wanted" (Handford, p. 186). "There are no troops in Italy, and Pompey was fighting in far distant lands [against Mithridates, king of Pontus, in Asia]" (Handford, p. 185).

441-49. Sallust, *Catilina*, 21: "In Eastern Spain, [Catiline] added, was Piso; in Mauritania, Publius Sittius of Nocera at the head of an army - both of them accomplices in the plot. Moreover, one of the consular candidates was Gaius Antonius, whom he hoped to have as his colleague in that office; and since Antonius, besides being his intimate friend, was in desperate straits, he could count on his co-operation when, as consul, he began to execute his plans" (Handford, p. 190-191).

453-473. *For our reward, ... braines*. Sallust, *Catilina*, 21: "Catiline promised them [i.e. the conspirators] the cancellation of debts and a proscription of the rich [ll. 453-57]; magistrates and priesthoods [l. 463]; opportunities of plunder, and all the other desirable things with which war satisfies the greed of victors [ll. 458-60]. Then he proceeded to heap abuse on all honest citizens, and, praising each of his adherents by name, reminded them either of their needy condition or of their ambitions, of the prosecutions that threatened them or the disgrace they had incurred, of Sulla's victory and the spoil with which it had enriched them [ll. 465-73] (Handford, pp. 190-91).

482ff. *Bring the wine, and bloud* ... Jonson's source is Sallust, *Catilina*, 22: "There was a rumour current at the time that when Catiline, on the conclusion of his speech, called on the associates of his plot to swear an oath, he passed round bowls of human blood mixed with wine; and when all had tasted of it after invoking a curse upon themselves if they broke faith, in accordance with the usual practice at such solemn ceremonies, he revealed the details of his scheme" (Handford, p. 191). The same story is reported by Dio Cassius, *Roman History*, xxxvii. 30. Florus, *Epitome of Roman History*, II. xii. 4, also reports the same story (see note III. 283-87, below).

505-12. On the vice of boys, Jonson adapts these lines from Sallust, *Catilina*, 17. 4: "Men prostituted themselves". Self-indulgence "incited young men ... to have recourse to crime. Because their vicious natures found it hard to forgo sensual pleasures, they resorted more and more restlessly to every means of getting and spending" (Handford, p. 183).

531-590. (The chorus). Jonson's main source for the choral speech, especially lines 531-55, is Petronius, *Satyricon*, 119, 120:

ll. 531-33: an adaptation from Sallust, *Catilina*, 37: "Never in its history ... had the empire of Rome been in such a miserable plight. From east to west all the world had been vanquished by her armies and obeyed her will; at home there was profound peace and abundance of wealth, which mortal men esteem the chiefest of blessings. Yet there were Roman citizens obstinately determined to destroy both themselves and their country" (Handford, p. 203).

ll. 531-55. Another source for these lines in the play, cited by H. & S., is Petronius, *Satyricon*, 120. ll. 126-39:

"O mistress of all divine and human things,
 Hater of all security of power,
 Lover of the new, forsaker of triumphs,
 Are thou not crushed
 By the weight of Rome?
 Canst thou raise higher that doomed mass?
 The new generation frets at its strength,
 Burdened by accumulated wealth.
 See, everywhere rich pickings of victory,
 Prosperity raging to its ruin.
 They build in gold and raise their mansions to the stars.
 The seas are dammed by dykes of stone
 And other seas spring up within their fields -
 A rebellion against the order of all things.
 (Petronius, *Satyricon*, translated by J. P. Sullivan, p. 132)

Another possible source for the opening lines of the chorus is an adaptation of Horace, *Epode*, 16, 2-11:

Rome reels
 From her own might. What neighbouring Marsians,
 Invading bands of Etruscan Porsenna,
 Capua's emulous courage, Spartacus'
 Aspiration, treacherous Allobrox' insurrection,
 The German beast with its blue-eyed youth
 And Hannibal whom parents wished away
 Could not destroy or tame, this impious
 Generation of fated stock will waste
 And the land belong once more to beasts of prey.
 (Horace, *The Complete Odes and Epodes*, translated by W. G. Shepherd, p. 63)

536. *by it selfe ... ouercome.* Horace, *Epode*, 16. ll. 2-3: "Rome reels from her own might" (Horace, *The Complete Odes and Epodes*, translated, with notes, by W. G. Shepherd with an introduction by Betty Radice, Penguin Books (London, 1983), p. 62).

544. Petronius, *Satyricon*, 120, l. 135: "Prosperity raging to its ruin." (translated by Sullivan, p. 132).

545. *Ibid.*, 119, ll. 1-2:

"All-conquering Rome was mistress of the globe
 By land and sea an empire to the poles.
 (Translated by Sullivan, p. 129)

Another possible source for the lines 545ff. is Lucan, *Pharsalia*, I, 164-66:

"For when Rome had conquered the world and Fortune showered excess of wealth upon her, virtue was dethroned by prosperity, and the spoil taken from the enemy lured men to extravagance; they set no limit to their wealth or their dwellings; greed rejected the food that once sufficed; men seized for their use garments scarce decent for women to wear; poverty, the mother of manhood, became a bugbear; and from all the earth was brought the special bane of each nation. Next they stretched wide the boundries of their lands, till those acres, which once were furrowed by the iron plough of Camillus and felt the spade of a Curius long ago, grew into vast estates tilled by foreign cultivators. Such a nation could find no pleasure in peace and quiet, nor leave the sword alone and grow fat on their freedom. Hence they were quick to anger, and crime prompted by poverty was lightly regarded; to overawe the State was high distinction which justified recourse to the sword; and might became the standard of right. Hence came laws and decrees of the people passed by violence; and consuls and tribunes alike threw justice into confusion; hence office was snatched by bribery and the people put up its own support for auction, while corruption, repeating year by year the venal competition of the Campus, destroyed the State; hence came devouring usury and interest that looks greedily to the day of payment; credit was shattered, and many found their profit in war" (Lucan, *Pharsalia*, translated by J. D. Duff, pp. 15-16).

551-55. Petronius, *Satyricon*, 120. 1. 136: "They build in gold and raise their mansions to the stars" (translated by Sullivan, p. 132).

Ibid., 1. 139: "A rebellion against the orders of all things" (*ibid.*).

Ibid., ll. 140-43:

The tunnelled earth yawns under insane building;
Caverns groan in hollowed mountains;
As long as frivolous employments are found for stone,
My ghosts confess their hopes of heaven.
(*ibid.*)

560. *the men.* Lucan, *Pharsalia*, I. 164-5: "men seized for their use garments scarce for women to wear" (translated by J. D. Duff, p. 15).

563-64. Petronius, *Satyricon*, 119. 1. 36: "Nature seeking herself finds nothing" (*ibid.*, p. 129).

566. *yuorie tables.* Juvenal, *Satires*, xi. 122-23: "a modern millionaire," writes Juvenal, "Cannot enjoy his dinner ... unless that broad table-top /Rests on an ivory leopards ..." (Juvenal, *The Sixteen Satires*, translated with introduction and notes by Peter Green, Penguin Books (London, 1967, rept. 1874), p. 231).

576-77. *And, now, ambition ... auarice.* Jonson quotes partly from Sallust, *Catilina*, 10: "Avarice destroyed honour, integrity, and every other virtue ... Ambition tempted many to be false" (Handford, p. 181).

579-590. Jonson quotes from Petronius, *Satyricon*, 119. 59--67:

The same madness in politics:
A bribed electorate changing sides for silver.
On sale: one people and one Senate
CHEAP!
Votes are for selling.
Even old men forgot the strenuous requirements of freedom.
(Translated by J. P. Sullivan, p. 130)

ACT TWO

Jonson's main source for this Act is Sallust, *Catilina*, upon which he draws extensively, especially from chapters 23-25, but he very dexterously incorporates the historical material into fine dramatic composition. Jonson's own devising in this Act is the material concerning the betrayal by Fulvia of the Catilinarian conspiracy by passing information from Curius to Cicero. In the play, Jonson has Fulvia tell Cicero about the conspiracy and Curius's role in it and his conversion against the conspirators. In Sallust, *Catilina*, 23³, however, the fact about Fulvia's role in uncovering the conspiracy is different from Jonson's version: "Fulvia ... on learning the cause of [Curius's] arrogant behaviour ... decided that such a serious danger to the state must not be concealed. Without mentioning the name of her informant, she told a number of persons the various facts that she had ascertained about Catiline's plot" (Handford, p. 192). Moreover, Jonson makes 'jealousy' of Sempronia the main reason why Fulvia decides to disclose information about the conspiracy to Cicero, as Fulvia feels jealous of the fact that Sempronia, her female-rival in the play, is taking part in the plot.

The character Galla, Fulvia's maid, is purely Jonson's invention and has no trace in the historical records.

3-4. The references to Clodius and Caesar are a misidentification by Jonson, who apparently confuses Fulvia with another infamous woman of the same name who was first the wife of Publius Clodius and later of Anotnius. No connection is historically known to have existed between Caesar, who had notorious intrigues with women, and either of the two Fulvias.

32ff. On Sempronia, her character and her talents, Jonson extends information found in Sallust, *Catilina*, 25: "Well educated in Greek and Latin literature [ll. 40-41], she had greater skill in lyre-playing [l. 48] and dancing [l. 49] than there is any need for a respectable woman to acquire [l. 51], besides many other accomplishments such as minister to dissipation. There was nothing that she set a smaller value on than seemliness and chastity [l. 52], and she was as careless of her reputation as she was of her money [ll. 53-54]... Yet her abilities were not to be despised. She could write poetry, crack a joke [l. 46], and converse at will with decorum, tender feeling, or wantonness; she was in fact a woman of ready wit and considerable charm" (Handford, p. 193).

One of Jonson's major dramatic achievements in this play, especially in this Act, is the character of Sempronia and the changes he introduced into it. In the historical record, Sallust reports that Sempronia was "favoured ... abundantly ... with birth and beauty" (Handford, p. 193). The Sempronia of the chronicles is painted with great seriousness. Jonson's Sempronia, in contrast, is a satiric character, drawn with great dexterity to reflect wantonness and shallow-mindedness in women, a field of criticism in which Jonson excelled most as a satirist. Other contemporary dramatists also touched upon this subject; significant among them was Shakespeare, whose Hamlet, in his reproach to Ophelia (III. i. 145ff.) is a prime example of satire on women's fondness of the use of artificial means of beauty. To Galla's description of Sempronia as "a fine lady" (l. 59), Jonson has Fulvia reply "They say, it is /Rather a visor, then a face shee weares (ll. 62-63). The whole scene involving Sempronia, Fulvia and Galla is a major dramatic achievement by Jonson which shows his ability to include in this tragedy comic scenes that mix finely with the rest of the play and complement criticism of vice and corruption in society.

63. *Rather a visor, then a face.* Cf. *Forest*, xiii. 77-80:

Let 'hem on poulders, oyles, and paintings, spend
Till that ... no man know,
Whether it be a face they weare, or no.

65. *With crumbs of bread, and milke.* Juvenal, *Satires*, 6. 462: "Her features lost under a damp bread face-pack" (*The Sixteen Satires*, translated by Peter Green, p. 145).

73-75. *You shall haue ... her selfe.* Ovid, *Remedia Amoris*, 343-45:

We're dazzled by feminine adornment, by the surface,
All gold and jewels: so little of what we observe,
Is the girl herself.

(Ovid, "*Cures for Love*," *The Erotic Poems*, translated with an introduction by Peter Green, Penguin Books (London, 1982), p. 249)

115-16. *He is but a new fellow ... in Rome.* Taken from Sallust, *Catilina*, 31. Catiline, addressing the Senate, defended himself against Cicero's allegations of conspiracy against Rome, and called him "a mere immigrant" (see Handford, p. 198).

137. *'cause ... Athens?* Plutarch, *Life of Cicero*, 4: Cicero fled to Greece, after defending Roscius against Sulla. "On arriving in Athens he attended the lectures of Antiochus of Ascalon and was charmed by the fluency and elegance of his diction, though he did not agree with his innovations in philosophical theory" (Plutarch, *Fall of the Roman Republic*, translated by Rex Warner, p. 314).

189. *to give.* Martial, *Epigrams*, II. lvi. 3,4: "she is not at all in the habit of receiving favours. What, then, is her habit? To give them" -- Martial, *Epigrams*, translated by Walter A. C. Ker, The Loeb Classical Library, (London, 1943), vol. I, p. 143.

191. *(Yes, and they study your kitchen, more then you)* Horace, *Satires*, II. v. 79, 80:

"Of course!" When those lads came, they were rather mean with their presents; it wasn't sex that enticed them so much as the palace cooking".

(Horace, *Satires and Epistles*, a verse translation with an introduction and notes by Niall Rudd, Penguin Books (London, 1973), p. 112)

227. *Look i' your glasse ...* Seneca, *De Ire*, II. xxxvi: "As Sextius remarks, it has been good for some people to see themselves in a mirror while they are angry; the great change in themselves alarmed them" -- Seneca, *Moral Essays*, in Three Volumes, translated by John W. Basore, Loeb Classical Library (London, 1928), vol. I, p. 249.

253-64. From Ovid, *Ars Amatoria*, iii. 601-8:

Invent a slave who watches your every
Movement, make clear what a jealous martinet
That man of yours is - such things will excite him.

Pleasure

Too safely enjoyed lacks zest. You want to be free
As Thaïs? Act scared. Though the door's quite safe, let him in by
The window. Look nervous. Have a smart
Maid rush in, scream 'We're caught', while you bundle the quaking
Youth out of sight.

(Ovid, *The Erotic Poems*, translated by Peter Green, p. 232)

299-300. *I should ... veng'd on you.* Sallust, *Catilina*, 23: Curius "began to talk big and to promise her [i.e. Fulvia] the earth - the next moment threatening to stab her unless she complied with his demands" (Handford, p. 192).

325-26. *Doues ... their murmuring.* Ovid, *Ars Amatoria*, ii. 465-66:

The doves that lately fought now
Call softly, bill and coo. (*ibid.*, p. 205)

353-4. *Cruell ... light.* From Philostratus, *Epistles*, 13 (59): "The good man, when wild, is fire; when tame is light" (my translation).

ACT THREE

Cicero's opening lines (1-50) are taken from his historical speeches against Rullus' Agrarian Law in December 64 B.C. Cicero made his first speech against Rullus on January 1, 63; *De Lege Agraria*, ii. 3. 4. 5. 6. 8.

The source for the lines 1-6; 19-25; 26-32; 47-50, is Cicero, *De Lege Agraria II.* as follows:

Ibid., II. ii. 3:

"I am the first 'new' man, after a very long interval, almost more remote than our times can remember, whom you have made consul; that position, which the nobility had secured by guards and fortified in every way, you have broken open and have shown your desire that it should in future be open to merit, allowing me to take the lead. And you not only elected me consul, which in itself is a very high honour, but you did so in a way in which few nobles in this city have been made consuls, and no 'new' man before me." (Cicero, *The Speeches*, with an English Translation, by John Henry Freese, The Loeb Classical Library (London, 1930), p. 373).

Ibid., II. ii. 4:

"And it is indeed an eminent distinction that I have just mentioned - that I was the first of the 'new' men upon whom after so many years you have bestowed this honour; that it was at the first time of asking, that it was in my regular year; and yet nothing can be more glorious and more illustrious than the fact that at the comitia at which I was elected you did not hand in your voting-tablet, whose secrecy guarantees the freedom of your vote, but showed by universal acclamation your goodwill and attachment to me. Thus it was not the last sorting of the sorting tablets, but those first hastening to the polling-boths, not the individual voices of the criers, but the unanimous voice of the Roman people that proclaimed me consul" (*Ibid.*, p. 375).

Ibid., II. ii. 5:

"This remarkable, extraordinary favour on your part, Romans, I consider a great source of mental enjoyment and delight, but it causes me still more anxiety and solicitude. For my mind is occupied with many serious thoughts, which leave me no share of rest day or night - above all, as regards maintaining the dignity of the consulate, a great and difficult task for any one, but above all for myself, since no mistake of mine will meet with indulgence; if I am successful, little praise and that forced from unwilling people is in prospect, if I am in doubt, I can see no trustworthy counsel, if I am in difficulties, no loyal support" (*Ibid.*).

Ibid., II. ii. 6:

"But if I alone were brought into danger, I could endure it, Romans, with greater equanimity; but there appear to me to be certain men who, if they think that I have made some slight mistake concerning any matter not only unintentionally but even by accident, will be ready to reproach you all for having preferred me to my noble competitors. But it is my opinion, Romans, that to suffer anything is better than failing to carry on my consulship in such a manner that in everything I do, in everything I

advise, what you have done for me and advised may obtain its meed of praise" (*Ibid.*, pp. 375. 377).

Ibid., II. ii. 8:

"I am aware, Romans, what the condition of the republic was when it was handed over to me on the 1st of January; it was full of anxiety, full of fear" (*Ibid.*, p. 379).

15-16. *broken images...* Juvenal, *Satires*, viii. 4, 5:

Half of a Curius, a Corvinus lacking the shoulder,
A noseless Galba? What is the object of boasting About your ancestry?
(Juvenal, *The Sixteen Satires*, translated by Peter Green, p. 177)

21. Cicero, *pro Murena*, VIII. 17: Cicero tells the Senate how he, a "new" man, has "prevented many brave men from being reproached with ignoble birth" and how he has therefore made access to consulship "open not more to birth than to worth." (Cicero, *The Speeches*, translated by Louis E. Lord, Loeb Classical Library (London, rept. 1959), p. 167).

45-56. *the enuie, and pride ... my election.* Sallust, *Catilina*, 23: "It was this information, more than anything else, that made people eager to entrust the consulship to Marcus Tullius Cicero. Previously, most of the aristocracy were seething with jealousy, and thought it almost a defilement for an outsider, however outstanding his merits, to be elected to it. But when danger threatened, jealousy and pride had to take a back seat" (Handford, p. 192).

64. *Each petty hand.* The source, as cited by H. & S. (*ibid.*), is Seneca, *Moral Epistles*, (*Epistulae*), LXXXV. 34: "for anyone, in the words of the proverb, is a pilot on a calm sea." -- Seneca, *Epistulae Morales*, in Three Volumes, translated by Richard M. Gummere, Loeb Classical Library (London, 1953), II, p. 307.

65. H. & S. (*ibid.*), cited the younger Pliny, *Epistles*, IX. xxvi. 4: "The pilot's skill is by no means equally proved in a calm, as in a storm; in the former case he tamely enters the port, unnoticed and unapplauded; but when the cordage creaks, the mast bends, and the rudder groans, then is it that he shines forth in full lustre, and is adored as little inferior to a sea-god" -- Pliny, *Letters*, in Two Volumes, translated by W. M. L. Hutchinson, Loeb Classical Library (London, 1915), I, p. 233.

83. *The vicious count their years ... their acts.* Cf. Seneca, *Epistulae*, xciii. 4: "Let us measure them [i.e. our lives] by their performance, not by their duration" -- Seneca, *Ad Lucilium Epistulae Morales*, in Three Volumes, translated by Richard M. Gummere, Loeb Classical Library (London, 1925), III, p. 5. Compre, also, Seneca, *Epistulae*, xciii, 2, 3: "A life is really long if it is a full life" -- *Ibid.*, p. 5. H. & S., (X., p. 137n.), cite Erasmus, *Parabolae (Opera)*, 1540, i. 498), and they rightly comment that Jonson elaborates on the thought of this line in *The Underwood*, LXX, 21-74 (see H. & S., VIII., pp. 243-245).

85. *Caesar. Most popular Consul he is growne, me thinks!* The authority for this line is probably Cicero, 2 *De Lege Agraria*, iii. 9: "... I declared in the senate that, as long as I held this office, I would be the people's consul." (*op. cit.*, translated by John Henry Freese, p. 379).

112-13. Plutarch, *Life of Cicero*, 17: Lentulus "was now serving as praetor for the second time, the normal procedure for those who have gained senatorial rank" (Plutarch, *Fall of the Roman Republic*, *op. cit.*, p. 327).

115. *Prince of the Senate.* The term, *Princeps Senatus*, was applied for the first member after the consuls, and was conferred by the censors to the worthiest of Senators. H. & S., (*op. cit.*, p. 137), quote *Velleius Paterculus*, II. xliii. 3, where Catulus is called "*omnium confessione senatus princeps*".

120-23. *the gods ...* Juvenal, *Satires*, X. 347-50:

Let the Gods themselves determine what's most appropriate
For mankind, and what best suits our various circumstances.
They'll give us the things we need, not those we want: a man
Is dearer to them than he is to himself.

(Translated by Peter Green, p. 216)

128. There is no clear-cut evidence in Roman history during this epoch that Caesar and Crassus were directly involved in Catiline's conspiracy against Cicero and Rome. Sallust, *Catilina*, 16⁴, reports that "There were ... a number of men of high standing who took a ... secret part in the movement, influenced more by the hope of gaining power than by poverty or any other necessity" (Handford, p. 186). Although this could be taken as a reference to Caesar and Crassus, as they were both influential men in Rome, there is no clear indication to either of the two men as accomplices of Catiline. Sallust also reports that "There were some who believed at the time that Marcus Licinius Crassus also was aware of the design. His hated rival Pompey was at the head of a great army, and Crassus, it was thought, would have been glad to see Pompey's supremacy threatened by the rise of another powerful man, whoever he might be, fully confident that if the conspirators succeeded he would readily be accepted as their leader" (Handford, p. 187). Jonson, however, elaborates on the remark made by Sallust and implicates both men in the Catilinarian plot, thus giving the dramatic action a sense of suspense and continuity, as the play concludes with the defeat of Catiline and his major 'naieve' accomplices, whereas the more astute figures of Caesar and Crassus are left lurking in the background, threatening the Republican system. The immediate dramatic effect of such a measure by Jonson was to remind his audience how, a few years later, Caesar was suspected of conspiring against Republicanism and was then assassinated for fears of dictatorship. Of Jonson's historical sources on the subject, Plutarch's *Life of Cicero*, 7-8, is the prime authority for implicating Caesar and Crassus in Catiline's conspiracy. Felicius, *op. cit.*, (p. 456), remarks that some people believed that Marcus Crassus and Caesar were guilty accomplices in the plot and that they also put their pressure into it ("*aliqui dixerunt huius coniurationis M. Crassum et C. Caesarem conscios adiutores ac impulsus fuisse*"), but he also added that others dismissed the story as mere invention by enemies of the two men.

179. *Who would not fall with all the world about him.* Gifford cited Seneca, *Thyestes*, 883-84:

Too fond of life is he who would not die
When all the world dies with him.

(*Thyestes, Four Tragedies and Octavia*, translated by E. F. Watling, p. 83)

Briggs, however, believed that Gifford was in error and argued that, although there is similarity in substance between the speeches in *Catiline* and *Thyestes*, the context of each speech is different from the other; in Seneca, the mournful chorus remark: "When the world dies, who would wish to survive it?" In *Catiline*, on the other hand, Briggs remarked, the meaning of the line is 'when I die, let fire overwhelm the earth'. The latter meaning is found in Claudian, *In Rufinum*, II. 17-21: '"What is left but to plunge the world into fresh troubles and draw down innocent peoples in my ruin? Gladly will I perish if the world does too; general destruction shall console me for mine own death, nor will I die (for I am no coward) till I have accomplished this. I

will not lay down my power before my life" (*Claudian*, in Two Volumes, translated by Maurice Platnauer, Loeb Classical Library (London, 1922), I, PP. 59, 61).

192-93. *Then is 't a prey ... the way.* Lucan, *Pharsalia*, I. 149-50: "... overthrowing every obstacle on his path to supreme power, and rejoicing to clear the way before him by destruction" -- Lucan, *Pharsalia*, translated by J. D. Duff, p. 13.

219-221. *The fire ... with ruine.* Cicero, *pro Murena*, 51:

Cicero. "this same man [i.e. Catiline] in this same assembly [i.e. the Senate] a few days before had said to this courageous man, Cato, who was threatening him with a trial and making a formal announcement of it, that if his plans were set afire he would extinguish the conflagration, not with water, but with a general ruin" (Cicero, *The Speeches*, with an English Translation, by Louise E. Lord, Loeb Classical Library (London, 1959), p. 213). Jonson puts this threat against Cato directly in the mouth of Catiline. Later, in IV. 506-11, Jonson repeats it, this time correctly in the Senate.

235-37. *Is there a heauen?...* Seneca, *Phaedra*, 671-4:

Almighty God
God of all gods! Canst thou hear things so foul
And not be moved? Canst see - and not be moved?
For what cause shall the sky be rent with thunder
If no cloud dims it now?

(*Phaedra*, *ibid.*, p. 125)

248-9. *the last affection ...* Tacitus, *Histories*, IV. vi: "the passion for glory is that from which even philosophers last divest themselves." (Tacitus, *Histories*, Books IV-V, translated by John Jackson, Loeb Classical Library (London, 1989), p. 13).

283-87. *And, then, to take a horride sacrament ...* Florus, *Epitoma*, II. xii. 4: "Human blood, which they [i.e. Catiline and his associates] handed round in bowls and drank, was used as a pledge to bind the conspirators together - in itself an act of the utmost wickedness, were not the object for which they drank it still more wicked" (Florus, *Epitome of Roman History*, translated by E. S. Forster, Loeb Classical Library (London, 1947), p. 263).

297-98. *yet were your vertue.* Cicero, *Philippics*, II. xlv. 114: "For although on the very consciousness of a splendid deed there was sufficient reward, yet by a mortal immortality should not, I think, be despised" -- Cicero, *Philippics*, with an English Translation, by Walter C. A. Ker, Loeb Classical Library (London, 1926), p. 179.

308ff. Jonson's authority for the meeting between Cicero, Fulvia and Curius is Sallust, *Catilina*, 26: "At the very beginning of his consulship [Cicero] had made many promises, through the agency of Fulvia, to ... Quintus Curius ..., and had thereby induced him to betray Catiline's designs" (Handford, p. 194). Jonson transforms this simple detail into great dramatic action.

340. *He acts the third crime, that defends the first.* The possible meaning of this line is that the second crime is the refusal to repent committing the crime. Briggs quotes *Sententiae falso inter Publilianas receptae*, edited by Woelfflin, 147 (Briggs, *op. cit.*, p. 200).

368. *void of feare.* H. & S. cited a similarity with Seneca, *Octavia*, 441: "Nero: Let him be just who has no need to fear" (Seneca, *Four Tragedies and Octavia*, translated by E. F. Watling, p. 274).

451. *common strumpet*. Florus, *Epitoma*, II. xii. 6: Fulvia is called "*vilissimum scortum*" (= "a worthless prostitute") -- Florus, *Epitome of Roman History*, translated by E. S. Forster, p. 263.

480. *So few are vertuous*, when the reward's away. Juvenal, *Satires*, X. 141-42:

Who would embrace poor Virtue naked
Without the rewards she bestows? (Juvenal, *The Sixteen Satires*, p. 210)

505. *'t will be virtue*. Seneca, *Hercules Furens*, 251-2: "Prosperous and successful crime now receives the name of Valor!" -- *The Ten Tragedies of Seneca*, with Notes, translated by Watson Bradshaw (London, 1902), p. 18.

523-4. *"A serpent, ere he comes to be a dragon,/Does eat a bat."* An ancient Greek proverb.

534-35. *their husbands ... rid 'hem*. Taken from Sallust, *Catilina*, 24: Catiline gained many adherents to his cause, including a number of women. "These women, he thought, would do good service by acting as agitators among the city slaves and organizing acts of incendiarism; their husbands, too, could be either induced to join his cause, or murdered" (Handford, p. 192).

542. *the old potter Titan*. Prometheus, one of the Titans of ancient Greece, was credited with stealing fire from Hephaestus to save the human race. According to Greek mythology, Prometheus moulded the first man out of clay and fire. H. & S. pointed out that in this line Jonson echoes Juvenal, *Satires*, xiv. 34-5:

Perhaps you will find one or two
Youths who despise such conduct, whose spirits have been formed
From finer clay, with a kinder touch in the firing.
(Juvenal, *ibid.*, p. 264)

548ff. (Catiline's meeting with his fellow-conspirators). According to Sallust, *Catilina*, 28³, the meeting took place in the house of Marcus Porcius Laeca at night (see Handford, p. 195). Cicero reports that the meeting took place in Laeca's house on the night of 6 November, namely, after the events described by Sallust in 29, 30, and 31⁴. Jonson seems to have made the meeting take place in Catiline's house (ll. 529, 543-7), although he realises this historical fact later in (IV. 264-66). If Jonson deliberately made Laeca's house the location for the meeting of the conspirators in this Act, he then seems to have forgotten this fact when he made Cicero refer to it as having been Catiline's house.

552. *Piso is dead, in Spaine*. From Sallust, *Catilina*, 19: "Piso was killed, in the course of a journey through his province, by some Spanish horsemen who formed part of his army" (Handford, p. 188). Sallust adds two possibilities concerning Piso's murder. "Some say that the natives could not tolerate the injustice, arrogance, and cruelty of his conduct as governor. Others maintain that the horsemen were old and devoted retainers of Pompey and were set on by him to attack Piso" (*ibid.*).

560. *Manlius*. Plutarch, *Life of Cicero*, 14: Catiline's fellow-conspirators urged themselves to act more quickly and more daringly. "In particular the old soldiers of Sulla kept urging Catiline to take action. ... With their leader Manlius, who was one of those who had served with distinction under Sulla, they joined in with Catiline and came to Rome to take part in the consular elections" (Plutarch, *Fall of the Roman Republic*, p. 324). See also Cicero, *Catiline Orations*, I, 5 (Grant, p. 78), I. 7 (Grant, p. 79), and I. 10: Cicero tells Catiline to leave Rome. "Your camp run by Manlius has been waiting all too long for you to take over its command" (Grant, p. 81); *ibid.*, 23 (Grant, p. 88), *ibid.*, II. 14; Cicero to the people: "You cannot surely suppose that

Manlius, the centurion who has pitched his camp in the territory of Faesulae, was declaring war upon the Roman people on his own account" (Grant, p. 100).

563-69. *this silver eagle...* Cicero, *Catiline Orations*, I. 21; Cicero to Catiline: "I know you have sent abroad your silver eagle, the one which you housed in a blasphemous shrine in your home..." (Grant, p. 88).

572-74. *Now's the time ... by all predictions.* Cicero, *Catiline Orations*, III. 4: "Lentulus also pronounced that this was the year preordained for the destruction of Rome and its dominion, seeing that it is the year after the acquittal of the Vestal Virgins and the twentieth after the burning of the Capitol" (Grant, p. 114).

573. *the firing of the Capitol.* Felicius, (Sallust folio, columns 508-9), makes the Allobroges present at this meeting. Moreover, Jonson conflates some details of the later meeting of the conspirators with the Allobroges (IV. 762-7) into this meeting.

596ff. Felicius, as H. & S., (X. p. 140n.) have shown, has included the Allobroges in this meeting, and has also incorporated material from their later interview (IV. 762-7).

597. *Saturnalls ... 'Twill be too long.* Cicero, *Catiline Orations*, III. 10: "The envoys [i.e. the Allobroges] added that there had been a difference between Cethegus and the rest of the conspirators, because Lentulus and the others had wanted to begin the carnage and conflagration during the Saturnalia, whereas Cethegus thought that this was too long to wait" (Grant, p. 114).

634. *The flaxe, and sulphure, ... at Cethegus house* Plutarch, *Life of Cicero*, 18: "A night - one of the nights of the Saturnalia - had been fixed for the attack, and swords, two, and brimstone had been carried to the house of Cethegus and hidden there" (translated by Rex Warner, p. 328).

642-44. *And Lentulus, begrit you Pompey's house,
To seize his sonnes alive: for they are they
Must make our peace with him.*

Plutarch, *Life of Cicero*, 18: Lentulus's plans were to kill the entire senate, burn down the city and "to spare no one except the children of Pompey. These were to be seized by the conspirators and held as hostages to secure a peaceful settlement with Pompey; for it was already generally and confidently reported that Pompey was on his way back from his great campaigns" (translated by Warner, p. 328).

659. *my opposition.* Sallust, *Catilina*, 27⁴: Cicero, "by agreeing to let his colleague Antonius have the governorship of a rich province [i.e. Macedonia], ... had prevailed on him to remain loyal; and for his own protection he had secretly organized a body-guard of friends and retainers" (Handford, p. 194).

663-65. *He shall die.* Seneca, *Hercules Furens*, 642-44: "If I know any thing of Hercules, Lycus will suffer due punishment for the slaughter of Creon; to say, he will be punished is a dull idea! he is being punished! that too is an adequate conception, as to his deserts! Death was too good for him!" -- *The Ten Tragedies of Seneca*, translated by Watson Bradshaw, p. 43.

669ff. *And under the pretext of clientele...* Jonson's source for these lines is Sallust, *Catilina*, 28: Gaius Cornelius and Lucius Vargunteius "decided to go to Cicero's house later that night with a band of armed men and to gain admittance by pretending to make a ceremonial call. They would then take him by surprise and assassinate him in his own house before he could defend himself" (Handford, p. 195).

670. *the morning haile*. As H. & S. pointed out, the source here is Martial, *Epigrams*, I. lv. 6: "the morning salute" -- *Op. cit.*, translated by Ker, Loeb Classical Library, p. 64.

683. *fatnesse*. Cicero, *Catiline Orations*, III. 16: Cicero calls Longinus "the corpulent Lucius Cassius" (Grant, 118).

702. *Make haste...* Sallust, *Catilina*, 28²: "Curius, realizing that the consul [Cicero] was in mortal peril, hastened to warn him, through Fulvia, of the trap which was being set for him" (Handford, p. 195).

796. *The dore's not open*. Sallust, *Catilina*, 28³: "Accordingly, the door was shut against them [i.e. Cornelius and Vargunteius] and they found that they had accomplished nothing by undertaking to commit this atrocious crime" (Handford, p. 195).

808. (Stage direction). *from above*. The choice of the witnesses, Cato, Catulus, and Crassus, is Jonson's own, and not warranted in the sources.

814-26. This passage is taken mainly from Cicero, *Catiline Orations*, I. 6; (corresponding to lines 814-18): "So do as I say: dismiss all those projects of carnage and conflagration from your mind. You are hemmed in on every side. All your schemes are more glaringly evident to us than the light of day" (Grant, p. 79).

I. 8; (corresponding to lines 818-19): "I watch for the safety of our country far more keenly even than you watch for its destruction" (Grant, p. 80).

II. 6; (corresponding to lines 820-21): "If they [i.e. Catiline's accomplices] cherish hopes that my earlier leniency will last for ever, they are profoundly mistaken" (Grant, p. 96).

II. 25; (corresponding to lines 821-22): "even if the hearts of human beings may flag, surely the immortal gods themselves would ordain that this mass of hideous vices must fall before such an array of immeasurably glorious virtues" (Grant, p. 107).

II. 21; (corresponding to lines 824-26): "For I cannot see why, if they are unable to live decently, they should also have this passion for a shameful death" (Grant, p. 105).

840-75. The chorus's speech is derived from Sallust, *Catilina*, 31, especially the following part: "These events [i.e. armed preparations to face Catiline's conspiracy] made a profound impression on the people, and had changed the face of the city. In place of the reckless gaiety and pleasure-seeking, which a long period of tranquility had fostered, there was sudden and universal gloom. Everyone was in a state of feverish anxiety; no one thought any place safe or trusted anyone. There was neither open war nor real peace, and each man estimated the danger by the measure of his own dread [ll. 845-46]. The women, too, to whom, at the centre of such a great empire, fear of war came as a new experience, beat their hearts, stretched out hands in supplication to heaven, and bewailed the fate of their children; questions were continually upon their lips and terror in their hearts; pride and frivolity were forgotten in the despair with which they anticipated their own and their country's fate" (Handford, pp. 197-98).

840-44. Briggs cited Seneca, *Thyestes*, 803ff: "What has driven thee from thy heavenly course? What cause from their fixed track has turned aside thy horses? Is the prison-house of Dis thrown wide and are the conquered Giants again essaying war? Doth sour-wounded Tityos renew in his weary breast his ancient wrath? Has Typhoeus thrown off the mountainous mass and set his body free? (*Seneca's Tragedies*, II., translated by F. J. Miller, Loeb Classical Library, p. 157).

842. *sonnes of earth*. The Giants and Titans, sons of Gaia, who fought against the gods.

860-61. *ambition, that neere vice to virtue*. Sallust, *Catilina*, 11¹: "At first, however, it was not so much avarice as ambition that disturbed men's minds - a fault which after all comes nearer to being a virtue" (Handford, p. 182).

865-67. *ends not in aspiring...* H. & S. pointed out a similarity with Lucan, *Pharsalia*, II. 657; Lucan writes of Julius Caesar, "but Caesar, headlong in all his designs, thought nothing done while anything remained to do" -- Lucan, *Pharsalia*, translated by J. D. Duff, pp. 105, 107.

ACT FOUR

This Act is derived mainly from Sallust, *Catilina*, 40-41.

7-8. *Of all that passe...* Juvenal, *Satires*, xiii. 223-24; Juvenal describes the Romans's fear of thunder and lightning: "Such men blanch and tremble at every lightning-flash; when /It thunders, the first faint rumble practically makes them swoon" (Juvenal, *The Sixteen Satires*, p. 257).

9. *like beasts*. Ovid, *Metamorphoses*, I. 84-85: "Whereas other animals hang their heads and look at the ground, he [i.e. the Creator] made man stand erect, bidding him look up to heaven, and lift his head to the stars" (Ovid, *Matamorphoses*, translated and with an introduction by Mary M. Innes, Penguin Books (London, 1955), p. 31).

19-23. *bold and wretched*. Juvenal, *Satires*, viii. 121-24:

But rule number one is this: Take care not to victimize
Courageous, desperate men. You may strip them of all
Their gold and silver, they still possess swords and shields,
Helmets and javelins: the plundered keep their weapons.
(Juvenal, *The Sixteen Satires*, p. 181)

30-32. *though heauen ... vpright, and vnfeard*. Horace, *Odes*, III. 3. 7-8:

Were the sky itself to fracture and collapse, the wreckage would immolate him
unafraid.

(Horace, *The Complete Odes and Epodes*, p. 132)

40ff. *Fabius Sanga*. Sallust, *Catilina*, 41: the Allobroges "communicated all they had been told to Quintus Fabius Sanga, who regularly acted as their patron in Rome" (Handford, p. 207).

60ff. The meeting of the Senate is taken primarily from Sallust *Catilina*, 31:

"Finally - either as part of his plan of dissimulation, or with the idea of establishing his innocence if any speaker should denounce him - he [i.e. Catiline] attended a meeting of the Senate. Thereupon the consul Cicero, alarmed by Catiline's presence or, it may be, moved by indignation, rendered the state good service by delivering a brilliant oration, which he afterwards wrote down and published. When Cicero sat down, Catiline began to act his part of complete innocence. With downcast eyes he implored the senators in suppliant tones not to be too hasty in believing anything that was alleged against him. His high birth, he said, and the life he had lived ever since his youth, justified him in entertaining the highest hopes. He was born a patrician; and like his ancestors before him, he had many times been of service to the Roman people. Could it be seriously supposed that such a man stood to gain anything by the ruin of the

Republic, when a mere immigrant like Cicero sought to preserve it? He was proceeding to hurl further insults when the whole house shouted him down with cries of 'Enemy!' and 'Traitor!' At this he flew into a towering rage. 'Since I am encompassed by foes,' he cried, 'and hounded to desperation, I will check the fire that threatens to consume me by pulling everything down about your ears' (Handford, pp. 198-99).

According to Cicero, *Catiline Orations*, II. 12, Sallust is in error here - in connection with Catiline's statement, "since I am encompassed by foes ..." Sallust introduces this statement as Catiline rushes out of the meeting of the Senate (8 November). According to Cicero, on the other hand, the remark was made in July when Cato threatened Catiline with a prosecution. Catiline's exact answer was: "If a fire is raised to consume my fortunes, I will put it out, not with water, but with demolition" (see Handford, p. 199n.).

61. *the house of Jvpiter, the Stayer.* Cicero, *Catiline Orations*, II. 12: "I convened a meeting of the Senate at the temple of Jupiter the Stayer, and gave its members a comprehensive report" (Grant, p. 99).

75. *still have wanted...* From Cicero, *Catiline Orations*, III. 4: "For since I realized that the unbelievable enormity of their criminal design would make you incredulous of what I was going to say, I aimed at getting such a thorough grasp of the whole business that when you had seen the whole frightful schemes with your own eyes you would thereafter, at long last, take whole-hearted measures of self-preservation" (Grant, p. 112).

88. *the step to more.* Cicero, *Catiline Orations*, I. 11: Cicero told the Senate how Catiline had conspired to kill him when Cicero was consul elect and when he became consul. "But now," Cicero added "... you are openly attacking our whole existence, and calling down destruction and devastation upon the temples of the immortal gods, the habitations of our city, the lives of every citizen, and Italy in all its parts" (Grant, p. 82).

90. *I would with these preserve it, or then fall.* Cicero, *Catiline Orations*, 1: Cicero, addressing the Senate assembly, said: "Rome is my country and ... I am the consul of all you people who are assembled here - with whom I will live, if you live, or die on your behalf!" (Grant, 107).

92. *gorget.* A piece of armour worn round the neck, and formed part of the breastplate. From Cicero, *pro Murena*, 52; Plutarch, in *Life of Cicero*, 14, reported that Cicero wore his breastplate at the election, and not, as in Jonson's play, in the senate. "Wearing a breastplate he was escorted down to the Field of Mars by all the nobility and by many of the young men. But loosening the folds of his tunic on his shoulders he purposely allowed people to see that he was wearing a breastplate, thus showing them the danger in which he stood, and the people indignantly rallied round him" (Plutarch, *Fall of the Roman Republic*, translated by Rex Warner, p. 325). See also Dio, *Roman History*, xxxvii. 29.

130-32. *I found his mischiefs ... at my suspicion.* Cicero, *pro Caelio*, 14: "I myself, yes, I say, I was once myself nearly deceived by him I took for a loyal citizen, eager for the acquaintance of all the best men, and for a true and faithful friend. I had to see his crimes before I believed them, and to have my hands on them before I even suspected them." (*The Speeches of Cicero*, translated by R. Gardner, Loeb Classical Library (London, 1958), p. 423).

142ff. (Stage direction) *Catiline sits downe, and Cato rises, from him.* Plutarch, *Life of Cicero*, 16: "Catiline also attended this meeting with the other senators intending to defend himself. No senator, however, would sit near him; they all moved away from the bench where he was sitting" (Plutarch, *op. cit.*, p. 327). Cicero, *Catiline Orations*,

I. 16: Cicero told Catiline: "when you arrived inside the Senate, any seat anywhere near your own was promptly vacated. As soon as you took your place, all the former consuls, whom you have repeatedly marked down for assassination, left that entire area of seats unoccupied and empty" (Grant, p. 84).

151-54. Plutarch, *Life of Cicero*, 14; in the senate, Catiline defended himself against Cicero's accusations as follows: "'I see two bodies,' he said, 'one thin and wasted, but with a head, the other headless, but big and strong. What is there so dreadful about it, if I myself become the head of the body which needs one?'" (Plutarch, *op. cit.*, p. 325).; also Cicero, *pro Murena*, 51: Cicero described how "in a crowded senate" he called on Catiline to defend himself against the charges of conspiracy against Rome; "For he [i.e. Catiline] then said that there were two bodies in the state - one frail with a weak head, the other sturdy but without a head; this body if it deserved his support should not lack a head so long as he lived." (*The Speeches of Cicero*, translated by E. Lord, Loeb Classical Library, (London, rept. 1959), p. 211).

172. *the paleness of thy guilt*. Sallust, *Catilina*, 15⁵, notes that Catiline's "complexion was pallid" (Handford, p. 185).

175-461. Apart from a few omissions, Jonson's source for this passage is Cicero's first oration against Catiline, delivered on November 7, 63 B.C.

I. 1. Corresponding to lines 175-196: "In the name of heaven, Catilina, how long do you propose to exploit our patience? Do you really suppose that your lunatic activities are going to escape our retaliation for evermore? Are there to be no limits to this audacious, uncontrollable swaggering? Look at the garrison of our Roman nation which guards the Palatine by night, look at the patrols ranging the city, the whole population gripped by terror, the entire body of loyal citizens massing at one single spot! Look at this meeting of our Senate behind strongly fortified defences, see the expressions on the countenances of every one of these men who are here! Have none of these sights made the smallest impact on your heart? You must be well aware that your plot has been detected. Now that every single person in this place knows all about your conspiracy, you cannot fail to realize it is doomed. Do you suppose there is a single individual here who has not got the very fullest information about what you were doing last night and the night before, where you went, the men you summoned, the plan you concocted?"

I. 2: "What a scandalous commentary on our age and its standards! For the Senate knows about all these things. The consul sees them being done. And yet this man still lives! Lives? He walks right into the Senate. He joins in our national debates - watches and notes and marks down with his gaze each one of us he plots to assassinate. And we, how brave we are! Just by getting out of the way of his frenzied onslaught, we feel we are doing patriotic duty enough" (Grant, p. 76).

I. 3. Corresponding to lines 187-203: " at former epochs, in this country of ours, brave men did not lack the courage to strike down a dangerous Roman citizen more fiercely even than they struck down the bitterest of foreign foes. Moreover, we have in our hands, Catilina, a decree of the Senate that is specifically aimed against yourself; and a formidable and stern decree it is. From this body, then, the state has no lack of counsel and authority. I tell you frankly, it is we, the consuls, who are not doing our duty" (Grant, p. 77).

I. 4 Corresponding to lines 204-213: "For the last twenty days we have allowed the powers which the Senate has given into our grasp to become blunt at the edges. We have an entirely appropriate decree - but it is left buried in the archives like a sword hidden in its sheath. According to this decree, Catilina, it is evident to all that you should have been instantly executed. And yet you are still alive - and living with an

affrontery which bears not the smallest sign of subsiding and is indeed more outrageous than ever.

"Members of the Senate, my desire is to be merciful. Yet in this grave national emergency I do not want to seem negligent; and as things are I blame myself for culpable inaction" (Grant, p. 78).

I. 5. Corresponding to lines 213-227: "Inside Italy, within the passes of Etruria, there is a camp occupied by men who plan the destruction of the Roman people. The number of these enemies increases every day. But as for the real commander of that camp, the leader of the hostile force, he is to be seen within our own walls and even inside the Senate itself, plotting every day, from this interior vantage point, some form of ruin for our country. If, therefore, Catilina, I order your arrest and execution, surely all honest men will complain, not that I am acting with undue brutality, but that I have delayed too long.

"Yet there is a particular reason why I still cannot bring myself to do what I ought to have done long ago. For I intend that your execution shall be timed to coincide with that day when even the most abandoned rascals, the people most resembling yourself, will be admitting one and all that this is your just fate" (Grant, p. 78).

I. 6. Corresponding to lines 228-240: "As long as one man exists who can dare to defend you, you will continue to live- and live as you are living now, surrounded by large numbers of my trusty guards whose duty is to ensure that you make no move against the government. Although you may not know it, many eyes and ears will be paying you their alert attention. They have been doing it already.

"For now, Catilina, your hopes must obviously be at an end. The darkness of night no longer avails to conceal your traitorous consultations. A private house does not suffice to keep the voices of your conspiracy secret. Everything is patently apparent. It all bursts into the open; you are forced to give up the whole outrageous design. So do I say: dismiss all those projects of carnage and conflagration from your mind" (Grant, pp. 78-79).

I. 7. Corresponding to lines 241-270: "Do you remember how I said in the Senate on the twenty-first of October that Gaius Manlius, your henchman and satellite in this frightful project, would take up arms on a particular date, and that the date in question would be the twenty-seven of October? Was I mistaken, Catilina, in prophesying this significant, deplorable and unbelievable event? I also informed the Senate that you had put off the massacre of our national leaders until the twenty-eighth of October, although by that time many of the chief men in the state had fled from Rome, less from a desire for self-preservation than in order to thwart your plans. But you went around saying that, in spite of their departure, you would still be content with the slaughter of the rest of us who remained. After the admission of failure, you cannot very well deny that my guards and my vigilant attention encompassed you so completely that you were quite unable to take any effective revolutionary action.

I. 8: "When you were confident you would be able to seize Praeneste on the first of November by a night attack, you had no idea that the town was defended, on my orders, by my police and garrisons and protective forces. No single thing you do, nothing you attempt or contemplate, escapes my notice. I hear and see and plainly understand your every move.

"Review with me what happened on the night before last, and you will appreciate that I watch for the safety of our country far more keenly even than you watch for its destruction. I am able to report how on that night you came into Scythemakers' street (I will be perfectly specific) and entered the home of Marcus Laeca: and many of your accomplices in the lunatic, criminal enterprise joined you there. Do you dare to deny it? What can be the reason for your silence? But indeed, if you attempt a denial, I will prove that it is true. For here in the Senate today I can see with my own eyes some of the men who were with you in that house" (Grant, pp. 79-80).

I. 9. Corresponding to lines 271-308: "By heaven, senators, it is difficult to imagine where on earth we can be, or what sort of a system of government is ours, or what kind of a city we inhabit, when there are men sitting here among ourselves, in this most solemn and dignified by all the world's assemblies, who are actually plotting the destruction of every single one of us, and all of Rome, and of everything upon the face of the earth! I, the consul, am gazing upon them now; they are taking part in this national debate. They ought to have been put to death by the sword. And yet, so far, I have not even succeeded in marking them with a verbal wound.

"So you were at Laeca's house last night, Catilina. You parcelled out the regions of Italy. You decided where you wanted each of your agents to go. You chose the men to leave at Rome and the men you would take with you. You divided the city into sections for the benefit of incendiaries. You confirmed that you yourself would be leaving, and added that the only thing which still held you back for a bit was the fact that I was still alive. But two Roman knights [according to Sallust, the assassins were C. Cornelius and L. Vargunteius - Jonson mentions three assassins] were found to relieve of this worry. They promised they would kill me in my bed during that same night, a little before dawn. However, almost before your meeting dispersed, I knew about all these projects. Thereupon I proceeded to strengthen and fortify my home with an increased number of bodyguards; and the individuals you had sent me, to convey the morning's greetings, were refused admission. I had foretold the arrival of these visitors to many leading personages. And the men made their appearance at the very hour I had indicated" (Grant, pp. 80-81).

I. 10: "Since that is the position, Catilina, I call upon you to leave for the destination you already have in mind. Depart, at last, from our city! The gates are open; be on your way. Your camp run by Manlius has been waiting all too long for you to take over its command. And take all your friends with you, or as many as you can - clean the city up. Once there is a wall between you and ourselves, you will have delivered me from grave anxiety" (Grant, p. 81).

I. 13. Corresponding to lines 308-331: "That [i.e. leaving Rome] is what you were just going to do in any case, of your own accord; so I am unable to see why you take your time in going, when that is precisely the course which I, too, propose that you should adopt. The consul orders a public enemy to leave the city. Into banishment? you ask. That is not part of my order. But, if you ask my opinion, it is what I advise" (Grant, p. 82).

I. 14: "For within this city today, Catilina, there is nothing that could give you satisfaction any more. Apart from your own degraded band of fellow-conspirators, no man exists who does not hold you in fear and detestation. Your life is marked with every sort of scandalous blot. There is no imaginable form of dishonour which does not stain your private affairs. No bounds can be set to the lecheries your eyes have witnessed, the atrocities your hands have committed, the iniquities into which every part of your body has been plunged. Your insidious seductions, that trapped one young man after another, have left them well equipped for a career of dreadful crime, or thoroughly stimulated to pursue a life of unrestrained sensuality. And then again, think of the time when by means of your former wife's death you ensured that your house should be vacated and free for a further marriage. You supplemented that ghastly deed by another so appalling that it is scarcely believable. But I pass the incident over and gladly allow it to be veiled in silence, because I cannot bear people to say that such a horror could have been perpetrated in this country - without receiving the smallest retribution of any kind. I say nothing either, about the financial ruin into which you will be plunged upon the thirteenth of this month." (Grant, pp. 82-83).

I. 15. Corresponding to lines 332-340: "Instead, I shall turn to the matters which relate not to the squalor of your personal depravities, not to the sordid tangle of your personal affairs, but to the supreme interests of our commonwealth, and the life and

safety of every one of us. It is hard to see, Catilina, how you can derive any satisfaction from this daylight that you see around you, this air you breathe. For you must realize that, out of all these men seated here, not one single person is unaware how during the consulship of Lepidus and Tullus, when you took your place in the Assembly on the last day of December [66 B.C.], you were illegally carrying arms. You had got together a group determined to strike down the leading men of the state, including the two consuls themselves; and what prevented this mad crime from being carried out was no sanity or nervousness of yours, but the good fortune that favours the people of Rome" (Grant, p. 83).

Ibid., corresponding to lines 340-349: "There are all your attempts, for example, to kill myself, when I was consul elect, and again when I had assumed the consulship. Many of your threats were so lethal that it seemed they could not fail to hit their mark. All the same, I managed to elude them. For your plans, in fact, do not work; you achieve nothing. But that does not seem to stop you from trying and hoping. Many a time, already, that dagger has been swept from your hands, and many a time, too, it has slipped out of them and fallen by some mere chance. And yet you still cannot endure to be parted from the weapon for one single day. I do not like to think of the rituals you must have performed in order to hallow and dedicate the blade for its appointed task: the task of being plunged into the body of a Roman consul" (Grant, p. 84).

I. 16. Corresponding to lines 350-366: "And now let us speak of this life you are leading. I shall show, by what I say, that I am not impelled by hatred - although I ought to be. On the contrary, I am moved by pity, which you do not deserve. A little while ago, you walked into the Senate. Here was this large gathering of members; here were many friends and relatives of your own. And yet, out of all these men, which one offered you a single word of greeting? ...

I. 17: "And then again, when you arrived inside the Senate, every seat anywhere near your own was promptly vacated. As soon as you took your place, all the former consuls, whom you have repeatedly marked down for assassination, left that entire area of seats unoccupied and empty. Well, how does this make you feel? I really believe that, if my slaves were as scared of me as all your fellow-citizens are scared of you, I should be forced to leave my home altogether.... How, then, can you hesitate to flee from the gaze and presence of the men who are the victims of your persecution and torment?" (Grant, pp. 84-85).

I. 20. Corresponding to lines 367-374: "Get out of Rome, Catilina. Spare our country this feeling of panic. Go into exile, if that is the word you are waiting to hear. Note and mark well how silent the senators are. Their silence means that they agree; and when you see their wishes expressed without a sound, what need is there to wait for the spoken word?

I. 21: "... Their absence of words means approval, their acquiescence amounts to a mighty cry" (Grant, pp. 86-87).

I. 22. Corresponding to lines 376-78: "But it is evidently no use expecting you to be disturbed by your own crimes, or to stand in awe of legal penalties, or give way to a national emergency. For you are by no means the man, Catilina, to let shame deter you from evil-doing, or fear from perilous adventures, or reason from acts of madness. I have urged you repeatedly to get out" (Grant, p. 88).

I. 23. Corresponding to lines 379-387: "And yet I do not see why I should be urging this course upon you, because I am well aware that you have already sent armed men ahead to wait for your arrival at Forum Aurelium. I know you have fixed a day with Manlius. I know you have sent abroad your silver eagle, the one which you housed in a blasphemous shrine in your home - and may it bring ruin and annihilation upon you

and all your friends! When you were about to set forth to commit a murder, you used to bow down before this object; upon its altar rested your god-forsaken hand before you lifted it to massacre Roman citizens" (Grant, p. 88).

I. 27. Corresponding to lines 387-397: "Let us imagine that all Italy and our entire nation addressed me in some such terms as these: 'Marcus Tullius, what are you doing? You have discovered that this man is a public enemy. You are well aware he will be the leader of your foes in the war. You know the enemy camp is waiting for him to take command. You have learnt that he is the planner of this criminal enterprise and the instigator of the plot, a mobilizer of slaves and of the most disreputable citizens he can find. Are you really going to let him go? If you do, it will by no means look as though you are ejecting him from the city; it will seem as though you are letting him for its destruction. It is surely your duty to bid him be cast into chains and hurried off to supreme retribution and death...' (Grant, pp. 89-90).

I. 29. Corresponding to lines 398-401: "To these solemn remonstrations addressed to me by our country - by the men whose feelings such reproaches reflect - I will offer this brief answer. Had I thought it best, Senators, that Catilina should be put to death, I would not have given that gladiator the enjoyment of one single further hour of life" (Grant, pp. 90-91).

I. 30. Corresponding to lines 402-417: "And yet there are some men here in the Senate who either genuinely fail to see, or make a pretense of not seeing, the disasters by which we are menaced. Their mildness has fostered Catilina's hopes, and their refusal to believe in his growing conspiracy has given it strength.

"Had I punished Catilina, their influence would cause many persons, some of them malignant but others merely ignorant, to say that I had acted with tyrannical brutality. True, it is clear enough that if he joins Manlius' camp, for which he is now bound, no one will be too stupid to realize that a conspiracy has come into existence or too dishonest to admit it. Yet if, on the other hand, Catilina is executed and nobody else dies with him, it is very clear to me that the disease which is eating into our country may be checked for a short time, but cannot be completely cured. But if, instead, he removes himself, and takes his friends away too, and concentrates in one single place all the derelicts who have joined him from every quarter, not only will this pestilence which rages in our nation be obliterated and stamped out, but the very roots and seeds of the plague will also be eradicated" (Grant, p. 91).

I. 31. Corresponding to lines 417-425: "If the horde of looters is diminished by the removal of this single man, we shall perhaps have the brief illusion of finding a respite from our anxieties and fears. But the danger will still be here, lurking deep within the veins and vital parts of our nation. When a very sick person, tossing about in a burning fever, takes a drink of cold water, at first he thinks it has made him better, but afterwards he feels more seriously and violently ill than he did before. In just the same way the disease that afflicts our nation will at first seem relieved by the punishment of this single individual, but later it will get much worse: since the others will still be alive" (Grant, p. 92).

I. 32. Corresponding to lines 426-445: "Therefore let all bad citizens be gone. Let them separate themselves from the good, and gather together in a single place - segregated, as I have often suggested before, by a wall. Let them no longer lay snares for the consul in his own home, stand around the tribunal of the city praetor, besiege the Senate House with their swords, and mobilize their firebombs and brands to plunge the city into flames. Finally, let every man's political views be written on his brow for all to see. I swear to you, Senators, that we consuls are going to display such vigour, you yourselves to carry much weight, the knights to display so great courage, and all patriotic men to act such a single and unanimous accord, that once Catilina has departed you will see everything brought out clearly into the light of day, and the time of suppression and punishment will be at hand" (Grant, p. 92).

I. 33. Corresponding to lines 346-361: "So these are the omens, Catilina, with which I bid you get off to your wicked and traitorous war. Your departure will be the cause of supreme salvation for the state. It will cause your own ruin and downfall, and the extermination of those who have been your accomplices in every one of your murderous atrocities. And you, Jupiter, who were set up in this place by Romulus under the selfsame auspices as our own city itself, who are justly named by us as the Stayer of the city and its empire, you will keep this man and his associates away from the dwellings and walls of Rome, away from the lives and properties of all the citizens. And as for these rogues whom every patriot hates, the enemies of our country and ravishers of Italy, united in their infamous alliance by a compact of abomination, you will immolate them, dead or alive, in retribution without end" (Grant, pp. 92-93).

247. *which my caution...* Ciceo, *Catiline Orations*, I.7, says: "I also informed the Senate that you had put off the massacre of our national leaders until the twenty-eighth of October, although by that time many of the chief men in the state had fled from Rome, less from a desire for self-preservation than in order to thwart your plans" (Grant, p. 79). Although Cicero states clearly that some Roman Senators fled by their own initiative, Jonson gives the stage Cicero the attribute of warning the Senators of Catiline's danger: "... my caution /Made many leave" is an obvious departure from the source and a deliberate move by Jonson to credit Cicero with intelligence and clairvoyance.

264. *at Lecca's house*. This is an error in Jonson. Earlier in the play, (III. 5548), the dramatist gives the impression that the meeting of the conspirators takes place in Catiline's house.

465-470. *But I hope, ... then this mans eloquence could vter*. Sallust, *Catilina*, 31: Catiline implored the senate not to believe Cicero's allegations against him. His high birth, he said, and the life he had lived ever since his youth, justified him in entertaining the highest hopes. He was born a patrician; and like his ancestors before him, he had many times been of service to the Roman people" (Handford, p. 198).

479. *Traitor*. Sallust, *Catilina*, 31: "the whole House shouted him down with cries of 'Enemy!' and 'Traitor!'" (Handford, p. 198).

- *in-mate*. Sallust, *Catilina*, 31: Catiline described Cicero as "a mere immigrant" (see also note 480 below).

480-4. *He saue the state?* ... Lucan, *Pharsalia*, III. 134-40, (Caesar to the tribune Metellus): "... Are you the champion in whose charge freedom has been left for safety? The course of time has not wrought such confusion that the laws would not rather be trampled on by Caesar than saved by Metellus" -- Lucan, *Pharsalia*, translated by J. D. Duff, p. 125.

480. *A burgesse sonne of Arpinum*. Juvenal, *Satires*, viii. 231-44, contrasts the humble origin of Cicero with the high birth of Catiline and Cethegus:

Where could you hope to find men of loftier ancestry
Than Catiline or Cethegus? Yet they planned a night attack
On the City, they were willing to fire Rome's houses and temples
(Like a bunch of trousered Gauls repeating the exploit
Of their warrior forebears) well though they knew what end
The attempt might bring them - to fry in the shirt of pitch.
But the Consul was not caught napping: he beat their forces back,
Posted armed guards everywhere, stopped the panic, altered
The Seven Hills - yet what was he? A raw provincial burgher,
No birth, no breeding, who'd just hit Rome from Arpinum.
A civilian, maybe; and yet this Johnny-come-lately

Won as much fame and honour within the City walls
 As Octavius' bloody sword brought *him* after Actium
 And the massacre of Philippi. ...
 (Juvenal, *The Sixteen Satires*, translated by Peter Green, p. 185)

Sallust, *Catilina*, 31⁷, reports how in the senate on November 8, 63 B.C., Catiline described Cicero as "a mere immigrant" (Handford, p. 198) as the latter came from Arpinum, a town in the Volscian highlands, a few miles outside Rome.

486. *rude, and indigested heape*. Ovid, *Metamorphoses*, i. 7; Ovid describes the condition of the earth before the Creation: "This was a shapeless uncoordinated mass, nothing but a weight of lifeless matter, whose ill-assorted elements were indiscriminately heaped together in one place" (Ovid, *Metamorphoses*, translated by Mary M. Innes, p. 29).

494-99. *In vaine ... Catilines anger*. Lucan, *Pharsalia*, III. 134-36: " 'In vain, Metellus,' he cried, 'you hope for a glorious death: never shall my hand be stained by your blood. No office shall make you worthy of my wrath' -- translated by J. D. Duff, p. 125.

501-11. Catiline's lines: Sallust, *Catilina*, 31: "'Since I am encompassed by foes,' he cried, 'and bounded to desperation, I will check the fire that threatens to consume me by pulling everything down about your ears'" (Handford, pp. 198-99). As Handford comments in his footnote on this remark, Sallust is in error here, as Catiline's statement was actually made in July in response to Cato's threat to prosecute him, and not in November in the senate.

508. *Sing out scrich-owle*. Jonson's authority on this line is Pliny, *Natural History*, Book X, xvi: "The eagle-owl [the scrich-owl ?] is a funeral bird, and is regarded as an extremely bad omen, especially at public auspices .., a weird creature of the night, its cry is not a musical note but a scream. Consequently when seen in cities or by daylight in any circumstances it is a direful portent" -- Pliny, *Natural History*, with an English Translation in Ten Volumes, translated by Rackham, Loeb Classical Library (London, 1940), vol. III, p. 315. H. & S., (p. 146n.), pointed out a possible source: Philemon Holland's translation of Pliny's *Natural History*, 1601, X. xii: "The Scritch-owle betokeneth alwaies some heaue newes, and is most execrable and accursed, and namely, in the presages of publicke affaires. ... In summe, he is the verie monster of the night, neither crying nor singing out cleare, but uttering a certain heaue grone of dolefull moning."

516-17. *See, that the commonwealth receive no losse.*
Commit the care thereof vnto the Consuls.

Sallust, *Catilina*, 29: "In accordance with its usual practice in serious emergencies, the Senate decreed that the consuls 'should take measure for the defence of the realm', thus conferring upon them the most extensive powers that Roman custom allows it to entrust to magistrates" (Handford, p. 196).

528-30. *Not an vnprofitable ... ill men*. Plutarch, *Life of Cicero*, 20. Of Caesar's role in Catiline's conspiracy, Plutarch wrote: "Cicero had strong grounds for being suspicious of Caesar, though no evidence strong enough to secure his conviction... Some say, however, that Cicero purposely overlooked and suppressed the information laid against him through fear of his friends and of his power, since it was clear to everyone that, if Caesar were charged with the other conspirators, they were more likely to be acquitted with him than he was to be punished with them" (Plutarch, *op. cit.*, p. 331).

530-3. *Caesar and Crassus ... Hydra*. Plutarch, *Life of Cicero*, 20 (see previous note). Plutarch, however, does not include Crassus in his report of Cicero's suspicion of Caesar.

538ff. Jonson quotes and adapts from Sallust, *Catilina*, 32: Catiline "dashed out of the Senate House and hurried home, where he pondered deeply on the situation. His murderous plots against the consul were making no headway, and any attempt at arson would be foiled by the patrols. So he thought the best thing to do was to reinforce his army and to employ the time which must elapse before legions could be enrolled in providing everything needful for war. At dead of night, therefore, he set out for Manlius's camp with a few companions, leaving orders for Cethegus, Lentulus, and the most daring and determined of his other accomplices, to do everything possible to increase the strength of their party, to find an early opportunity of assassinating Cicero, and to make arrangements for massacre, fire-raising, and other violent outrages. He himself, he added, would shortly be marching on the city with a large army" (Handford, p. 199).

548-50. *Draw to you ... helpe a war*. Cicero, *Catiline Orations*, III. 12; Lentulus wrote to Catiline: "'Stand firm and understand the position into which you have brought yourself. See to whatever you need and take steps to mobilize all the help you can, even from the lowest elements" (Grant, p. 116). This statement was alleged historically to have come from Lentulus in a letter to Catiline, carried by Volturcius when the latter was arrested. Jonson, however, puts this statement in Catiline's mouth. Another source for these two lines is Sallust, *Catilina*, 44: Volturcius was entrusted with a letter from Lentulus to Catiline; it partly read: "'Reflect what a serious situation you are in, and remember that you are a man. Consider what your interests require. Seek help from all, even from the humblest" (Handford, p. 209).

557-63. Sallust, *Catilina*, 34: "Catiline, who in the meantime was on his way to join Manlius, wrote to many men of consular rank and other members of the aristocracy, saying that since he had not been able to withstand the group of enemies who persecuted him with trumped-up charges, he was resigning himself to his lot and going to Marseilles as an exile - not because his conscience reproached him with the heinous crime of which he was accused, but in order to preserve the peace of the state and avoid stirring up civil strife by struggling against his fate" (Handford, p. 200).

575-86. Sallust, *Catilina*, 40: "In pursuance of this policy he [i.e. Lentulus] directed one Publius Umbrenus to seek out the envoys of the Allobroges and induce them, if possible, to take part in the war as Catiline's allies. The fact that they were overburdened with public and private debts, as well as the naturally warlike temperament of the Gauls, would, he thought, make it easy to persuade them to such a course. Umbrenus, who had done business in Gaul, was known to many of the leading men in various Gallic communities and knew them personally... Complaining bitterly about the rapacity of the Roman officials and blaming the Senate for the failure to help them, they said that nothing but death could release them from their misery. 'Why, I myself,' said Umbrenus, 'if only you will act like men, will show you a means of escapiny from your misfortunes" (Handford, p. 206).

583. *still watching after change*. Horace, *Epode*, xvi. 6, includes the Allobroges among the powers of insurrection against Rome (see note I. 531-90 above -- Horace, *op. cit.*, translated by Shepherd, p. 63).

588-89. *that they 'abound with horse ... only labour*. Cicero, *Catiline Orations*, III. 9; interrogated by Cicero, the Allobroges declared that they had been asked by the conspirators "to send cavalry into Italy as soon as they could - infantry was already in sufficient supply" (Grant, p. 114).

612. *the fortune of the commonwealth hath conquer'd*. Adapted from Sallust, *Catilina*, 41: "In the end the Good Fortune of the Republic prevailed..." (Handford, p. 207).

613-16. *Umbrenus*. Sallust, *Catilina*, 40: "Umbrenus, who had done business in Gaul, was known to many of the leading men in various Gallic communities and knew them personally" (Handford, p. 206).

619-39. H. & S. pointed out, (X. p.147n.), that this is a borrowing from Felicius, *op. cit.*, (Sallust folio, column 506). The substance of the whole speech (617-670) is an adaptation of Felicius.

624. *Quintus Fabius Sanga*. Sallust, *Catilina*, 41⁴: The Allobroges "communicated all they had been told to Quintus Fabius Sanga, who regularly acted as their patron in Rome" (Handford, p. 207).

639. *All may begin a warre ...* Sallust, *De Bello Iugurthino* (*The Jugurthine War*, translated by, S. A. Handford), lxxxiii: "It is always easy to begin fighting, but the man who starts may find it exceedingly hard to stop" (Handford, p. 115).

640-42. *The senate ... traytors*. Sallust, *Catilina*, 36: When this was known at Rome, the Senate declared Catiline and Manlius public enemies, ... It was further decreed that the consuls should enrol troops, and that Antonius should hasten with an army in pursuit of Catiline while Cicero guarded the city" (Handford, p. 202).

643. *Metellus Celer*. He took part in prosecuting and imprisoning a number of Catiline's followers who had motivated disturbances in northern Italy and in Provence, as well as in Picenum, Apulia, and the country of the Brutii (i.e. the toe of Italy). See Handford, pp. 207-8.

645-47. *rewards propos'd, ... courses*. Sallust, *Catilina*, 30⁶: "Rewards were ... offered for information about the plot against the state; for a slave, the reward was to be his freedom and a hundred thousand sesterces; for a free man, double that sum and a pardon for any share he might have had in the conspiracy" (Handford, p. 197).

673-81. *We are to meet ... counsel*. Sallust, *Catilina*, 40⁵: Publius Umbrenus "took [the Allobroges] to the house of Decimus Brutus, which was close to the forum, and, thanks to Sempronia, was no stranger to the conspiracy; Brutus was no hindrance, since at the moment he was away from Rome" (Handford, p. 2207); and also *ibid.*, 41⁵: "When Cicero was informed by Sanga of Lentulus's plan, he instructed the envoys to feign great interest in Catiline's conspiracy, and, by getting in touch with the rest of his accomplices and making them fair promises, to try to obtain the clearest possible evidence against them" (Handford, p. 207).

718. *so Thucydides /Calls Ambassadors*. Thucydides does not call ambassadors "honourable spies", as Sempronia claims. Jonson simply wants to add a comic touch on Sempronia, who is merely trying to show off her knowledge of Greek.

755ff. *Capanevs*. As H. & S. pointed out, (X. p. 148n.), Jonson here copies Papinius Statius, *Thebais*, X. 935-9: "He stands nevertheless, and turning towards the heaven pants out his life and leans his smoking breast on the hated battlements, lest he should fall; but his earthly frame deserts the hero, and his spirit is released; yet had his limbs been consumed a whit more slowly, he might have expected a second thunderbolt." (Statius, *Thebaid*, vol. II, translated by J. H. Mozely, Loeb Classical Library (London, 1928), pp. 387, 389).

774-78. From Sallust, *Catilina*, 44³: a man named Titius Volturcius, of Crotone, was sent by Lentulus with the Allobroges, so that before proceeding to their own country

they might confirm their alliance with Catiline by exchanging solemn assurances" (Handford, p. 209); also, *ibid.*, 43: The conspirators had decided that "the tribune Lucius Bestia should convene a public meeting and protest against the steps taken by Cicero, throwing upon that excellent consul the odium of having provoked a conflict which had assumed a very serious character" (Handford, p. 208).

779-80. Sallust, *Catilina*, 44; Lentulus sent an oral message to Catiline: "All was ready at Rome according to his orders, and there must be no delay on his part in advancing nearer" (Handford, p. 209).

783-91. Sallust, *Catilina*, 59: "...since Antonius was prevented by an attack of gout from taking part in the battle, he entrusted the command to his lieutenant Marcus Petreius, who placed in his front line the cohorts of veterans... he addressed each soldier by name... He was a good soldier, who for more than thirty years had served with great distinction as military tribune, prefect, lieutenant, and commander; and he knew many of the men personally and remembered their gallant feats of arms. By recalling these he kindled their fighting-spirit" (Handford, pp. 231, 232).

798-99. *Metellus Celer*. Sallust, *Catilina*, 57: "But Quintus Metellus Celer was waiting with three legions in Picenum.... when Metellus learnt from deserters of his enemy's march, he quickly moved off and encamped at the very foot of the mountains which Catiline would have to descend in his hasty retreat to Gaul" (Handford, pp. 228-29).

801-4. *Milvian bridge*... Sallust, *Catilina*, 45: "Cicero ... ordered the praetors Lucius Valerius Flaccus and Gaius Pomptinus to wait on the Mulvian bridge for the Allobroges' party and to arrest them" (Handford, pp. 209-10).

803. *Flaccus, Pomptinius*. Cicero, *Catiline Orations*, III. 5: "Yesterday, I summoned our valiant and loyal praetors Lucius Flaccus and Gaius Pomptinus. I explained the situation and told them what they should do... And so, ... they made their way secretly to the Milvian bridge and stationed themselves within the nearest houses, dividing their forces into two detachments on either side of the Tiber and the bridge" (Grant, p. 112).

807-9. *I, in meane time ... Lentulus ... Gabinus, Cethegus ...* Sallust, *Catilina*, 46: "So, summoning up his resolution, he sent for Lentulus, Cethegus, Statilius, Gabinus, and also for Caeparius, of Terracina ..." (Handford, p. 210).

810-11. *who no doubt will come ... or suspicion*. Sallust, *Catilina*, 45: "They all came without delay ..." (*ibid.*); also, Cicero, *Catiline Orations*, III, 3: "I immediately sent for the worst character among all the plotters, Gabinus ... Then Lucius Statilius was summoned, and after him Gaius Cethegus. Lentulus, on the other hand, arrived a slow last, presumably because (contrary to his usual lazy habits) he had stayed up so late writing letters" (Grant, p. 113).

824-42. Jonson quotes from Sallust, *Catilina*, 45: "The next step was to fix a night for the departure of the envoys. Cicero, to whom they had communicated everything, ordered the praetors Lucius Valerius Flaccus and Gaius Pomptinus to wait on the Mulvian bridge for the Allobroges' party and to arrest them. He explained the general purpose of their mission and gave them discretion to act as circumstances might require. The praetors, who were experienced soldiers, quietly occupied the bridge, according to their orders, by posting pickets in hiding. When the envoys and Volturcius reached the spot and heard shouting on both sides of them at once, the Gauls quickly realized what the plan was and promptly surrendered to the praetors. Volturcius at first called on the others to resist, and sword in hand defended himself against his numerous assailants. When he saw that the envoys had deserted him, he began by earnestly begging Pomptinus, to whom he was known, to save him, but

finally he lost his nerve and yielded to the praetors in as abject fear for his life as if they had been foreign invaders" (Handford, p. 210).

843ff. The general outline of the chorus' speech is chiefly drawn from Felicius, *Historia coiurationis Catilinariae* (the Basil Sallust Folio of 1564). Besides, the speech of the chorus bear ample similarity with Sallust, *Catilina*, 34 and 48.

ACT FIVE

Petreivs. For Petreius's speech, although recorded in Sallust, *Catilina*, 59, Jonson relied heavily, especially for lines 5-49, on Felicius's copy of the Sallust folio, chapter 57, columns 544 and 546. (For the text in Latin, see H. & S., X, p. 150n.)

1-3. Sallust, *Catilina*, 59: "since Antonius was prevented by an attack of gout from taking part in the battle, he entrusted the command to his liuetenant Marcus Petreius..." (Handford, p. 231).

5-21. (Petreius's speech to his troops in the field). Jonson draws upon Felicius, (Sallust folio, col. 544 and col. 546 - for the Latin version of the speech, see H. & S., X, p. 150) who himself incorporates parts from Sallust, *Catilina*, 59-61 (see Handford, pp. 231-33); Cicero, *Catiline Orations*, II. 24 (see Grant, p. 106), and IV. 18 (see Grant, pp. 141-42) The last two citations involve Cicero's, not Petronius's, speech to the people of Rome and to the senate respectively

22-49. Taken from an adaptation by Felicius of Cicero, *Catiline Orations*, II. 17-23.

22ff. *One sort.* Cicero, *Catiline Orations*, II. 20, 21: "The third class of Catiline's followers comprises men who are already showing the effects of age but still remain vigorous from constant physical exercise. In this category ... are the settlers from the towns colonized by Sulla. I am aware that most of the people who live in such foundations are worthy and gallant citizens. But they do ... include a certain number of individuals whose sudden, unexpected riches have plunged them into immoderately expensive habits. While they are treating themselves to wealthy men's building programmes and taking pleasure in their choice estates and vast slave-households and elaborate dinner-parties, they have borrowed such a lot of money that the only way to achieve solvency again would be to raise Sulla from the dead" (Grant, pp. 103-4).

32-44. *The second sort.* Jonson chooses the last (and sixth) class of Catiline's troops, as categorized by Cicero, *Catiline Orations*, II, 23: "The last class ... is Catiline's special treasure, his picked elect, formed from his own beloved cronies and bosom friends ... Their entire interest in life and all the alertness they can muster are squandered on parties that last all night long. In these gangs are to be found every gambler, adulterer, debauchee and sensualist who exists. These soft and pretty boys are experts at making love and having love made to them, and they know how to dance and sing; but they have also learnt to wave daggers about and sprinkle poisons" (Grant, p. 105).

43. *thus will wish more hurt to 'you, then they bring you.* Jonson borrows this detail from Cicero's description of the first, not last, calss of Catiline's troops. In *Catiline Orations*, II, 18, Cicero says of them: "even if they remain impenitent, they are more likely to assail the government with petitions than with force of arms" (Grant, p. 103).

44f. *The rest are a mixed kind ...* This passage is adopted from Cicero's description of the fifth class of conspirators; Cicero, *Catiline Orations*, II. 22: "The fifth class includes the people who have murdered their parents, and assassins in general, and vile

characters of every kind" (Grant, p. 105). For line 44, "The rest are a mixed kind, all sorts of furies", Jonson seems to have borrowed the opening sentence of Cicero's description of the fourth class of Catiline's followers: "The fourth class is *varied, mixed and tempestuous*" (Grant, p. 104; my italics).

46. *all the sink, /And plague of Italie.* Sallust, *Catilina*, 37⁵, describes the "city populace": "those whose scandalous or criminal conduct had exiled from their homes - all these had poured into Rome till it was like a sewer" (Handford, pp. 203-4).

68. *I euer look'd for this of Lentulus.* A reference from Cicero, *Catiline Orations*, III. 16: "Publius Lentulus, although on the strength of the evidence and his own confession the Senate had judged him deprived of the rights not only of a praetor but even of a Roman citizen, nevertheless resigned from that office" (Grant, p. 118).

71. *Their letter to the consul.* Plutarch, *Life of Cicero*, 15: Crassus received a number of letters, one of which was unsigned, in which he was warned to leave Rome. Consequently, he gave the letters to Cicero in fear of a possible trap which might have been set by the consul (Plutarch, *op. cit.*, pp. 325-26) See also Sallust folio, column 509.

77. *I haue, of late ...* Jonson's source for this line is Suetonius, *Dius Julius*, XVII; Suetonius reports how Caesar was accused of complicity in Catiline's conspiracy by Lucius Vettius and in the Senate by Quintus Curius, who was voted rewards by the Senate. "But Caesar, thinking that such an indignity could in no wise be endured, showed by appealing to Cicero's testimony that he had of his own accord reported to the consul certain details of the plot, and thus prevented Curius from getting the reward." (Suetonius, in Two Volumes, translated by J. C. Rolfe, Loeb Classical Library, vol. I (London, rept. 1951), p. 21).

86ff. *I will not be wrought to it ...* Sallust, *Catilina*, 49¹, refers to an accusation against Caesar: "About the same time [4 December, 64 B.C.] Quintus Catulus and Gaius Piso tried in vain by entreaties, cajolry, and bribes to persuade Cicero into putting up the Allobroges, or some other informer, to bear false witness against Caesar" (Handford, p. 213). See also Plutarch, *Life of Cicero*, 7.

89. *Prooffe.* Plutarch, *Life of Cicero*, 20 (see note on IV. 528-30 above).

101. *send Lentulus...* Sallust, *Catilina*, 46: "As Lentulus held the rank of praetor, Cicero himself took him by the hand and conducted him to the temple of Concord, to which he ordered the others to be brought under a guard" (Handford, p. 210).

106-8. *If that be found not in them ...* condemn'd. From Cicero, *Catiline Orations*, III. 7: Cicero refused a view put to him by leading statesmen to open the letters found with some of the conspirators. "For even, citizens, if the letters had proved not to contain the statements I had been advised to expect, I still feel convinced that in such a public emergency I need not be afraid of seeming excessively zealous" (Grant, p. 113).

109. *The weapons...* Cicero, *Catiline Orations*, III. 7: "And meanwhile without any delay, following the advice of the Allobroges, I sent the courageous praetor Gaius Sulpicius to the house of Cethegus to collect any weapons he might discover there. He found a very large number of daggers and swords, and took them away" (Grant, p. 113).

115. *It hath a face of horror.* Jonson has no warrant in his sources for this statement. The letters found with the plotters did not have clear indications of treason. For instance, the letter found with Volturcius, allegedly from Lentulus to Catiline, was unsigned and read as follows (Cicero, *Catiline Orations*, III. 12):

"You will know who I am from the man I am sending to you. Stand firm and understand the position into which you have brought yourself. See to whatever you need and take steps to mobilize all the help you can, even from the lowest elements" (Grant, p. 116).

117-28. From Cicero, *Catiline Orations*, III. 3, 4: "when Catilina broke out of town a few days ago, he left behind him at Rome the associates in his odious designs, the ferocious leaders in this horrible war. Since then I have continually been on the watch, citizens, planning how we may best be saved from these deadly calndestine intrigues. For at the time when I drove Catiline out of the city - you see I am no longer afraid that unpopularity will descend upon me for saying this; I am much more likely to incur it for leaving him alive - at the time, I say, when I wanted him to go into banishment, I believed that either the rest of the gang of conspirators would vanish with himself or those who stayed behind would be weak and impotent once he was no longer with them. But I soon saw that, instead, we still had with us in Rome a collection of men whose madness amd malignancy knew no limits. And from then onwards I devoted every day and every night to discovering and understanding how they spent their time and what their intentions were. For since I would make you incredulous of what I was going to say, I aimed at getting such a thorough grasp of the whole business that when you had seen the whole frightful scheme with your own eyes you would thereafter, at long last, take whole-heartd measures of self-preservation" (Grant, pp. 111-12).

133-37. (Of Volturcius's trial), Sallust, *Catilina*, 47: "When Volturcius was questioned, first about the journey and the letter he was carrying, and then about his purpose and motive, he began by inventing a story and pretending to know nothing of the conspiracy. Afterwards, on being promised a pardon if he would speak, he revealed all he could of the facts; but he declared that as it was only a few days since he had been called in ... he knew no more than the envoys..." (Handford, p. 211).

133-50. Another source for this passage is Cicero, *Catiline Orations*, III. 8, 9: "I brought Voltrucius into the Senate without the Gauls, and with the agreement of the members gave him a pledge of impunity on the government's behalf. I urged him to disclose fearlessly anything he knew, and before he had fully recovered from his abject panic he poured out his story. Publius Lentulus, he said, had given him messages and a letter for Catilina, urging the latter to mobilize a guards of slaves and come to Rome with his army at the earliest possible moment. The plan was to set fire to all quarters of the city - defined according to their allocation and distribution among his supporters - and to massacre an enormous number of citizens. Meanwhile Catilina himself was to be at hand, in order to intercept fugitives and effect a junction with his leading representatives in the capital.

"Next the Gauls were brought into the Senate. They declared that they had been made to swear an oath, entrusted with letters from Lentulus, Cethegus and Statilius to talk to their own people, and ordered by those same men, and by Lucius Crassus as well, to send cavalry into Italy as soon as they could - infantry was already in sufficient supply" (Grant, pp. 113-14).

155-66. From Cicero, *Catiline Orations*, III. 10: "Thereupon we showed Cethegus his letter; he agreed that the seal was his, and we cut the thread... Just before, Cethegus had been asked (in spite of the evident facts) what he had to say about the swords and daggers which had been confiscated at his home. His reply was that fine weapons had always been a fancy of his. But now his letter was read, he suddenly seemed crushed and paralysed by guilt, and fell silent" (Grant, p. 115).

167-92. From Cicero, *Catiline Orations*, III. 10, 11: "Next, Statilius was brought in. He admitted the seal and handwriting, and his letter, too, was read. Its contents were largely similar; and he confessed. Then I showed Lentulus his own letter and inquired whether he acknowledged the seal. He nodded assent, and I commented, 'Yes, and it is a celebrated seal, too - engraved with the portrait of your eminent grandfather,

whose love for his country and his fellow-citizens was profound. Mute as they are, those features alone should have sufficed to deter you from your dreadful crime!'

"Then Lentulus' letter to the Senate and people of the Allobroges was read out; and it was to the same effect. I offered him an opportunity to make any statement about these matters that he might wish to volunteer. At first he refused, but after a time, when the whole evidence had been gone over and recited in detail, he rose to his feet and demanded that the Gauls, and Volturcius also, should report the nature of the business which had brought them to his house. They replied briefly but resolutely, indicating through whose agency they had come to him and on how many occasions. Then they, in turn, that he should confirm whether he had spoken to them about the Sibylline oracles or not. At this point, he gave a striking demonstration of what guilt does to a man. For the magnitude of his crime suddenly robbed him of his wits, and although he could have denied the allegation he caused general surprise by confessing it was true" (Grant, pp. 115-16). The material in lines 178-90 also exists in Sallust, *Catilina*, 48: "The Gauls gave evidence to the same effect, and when Lentulus pretended to know nothing about it they proved his guilt by referring to his letter and by repeating words which he had often used. 'The Sibylline books', he said, 'prophesied that Rome would be ruled by three Corneli; Cinna and Sulla had been the first two, and he himself was the third who was to be master of the city' (Handford, p. 211).

196-202. From Sallust, *Catilina*, 47: Volturcius "declared that as it was only a few days since he had been called in to help by Gabinius and Caeparius, he knew no more than the envoys: all he could say was that he had often heard Gabinius mention Publius Autronius, Servius Sulla, Lucius Vargunteius, and many others, as being in the plot" (Handford, p. 211).

205-8. From Cicero, *Catiline Orations*, II. Of Lentulus, Cicero reports: "For the magnitude of his crime suddenly robbed him of his wits, and although he could have denied the allegation he caused general surprise by confessing that it was true. The detection and disclosure of his abominable design had evidently affected him so overwhelmingly that he was suddenly bereft of all oratorical talent and experience which had always been his strength, and even of the brazenness and depravity in which he had never had an equal" (Grant, pp. 115-16).

210-11. *Gabinius, /The enginer of all*. Cicero, *Catiline Orations*, III. 6, describes Gabinius as "the worst character among all the plotters, Gabinius - as savage as any Cimbrian..." (Grant, p. 113).

211-12. Cicero, *catiline Orations*, III. 12: "Then Gabinius was brought in, and after defiant answers at first he concluded by denying none of the allegations that the Gauls had made" (Grant, p. 116).

215-16. *Is there a law for't?* H. & S., (X. 153n.), detected a similarity with Martial, *Epigrams*, II. ix. 3-4; the adulteror Hyllus, after having a liaison with a praetor's wife, is addressed as follows: "'Alas for yoy! in the midst of your enjoyments you will be gelded. You will reply 'This is not permitted.' Well? Is what you are doing, Hyllus, permitted?'" -- Martial, *Epigrams*, in Two Volumes, translated by Walter C. A. Ker, Loeb Classical Library (London, rept. 1943), p. 145.

227: *beg o' the bridge*. Bridges were favourite places for Romans to beg on. As H. & S. pointed out (X. 153n.), from Juvenal, *Satires*, XIV. 134:

Professional beggars
Would turn down an invitation to this kind of feast.
(Juvenal, *op. cit.*, p. 268)

(Ponte = a little bridge; "aliquis de ponte" = a beggar).

230. *a cloud of witnesse* . H. & S. compared this line with the *Hebrews*, xii. i: "Wherefore seeing we also are compassed about with so great a cloud of witnesses ..."

233-37. *I thought, ... in our walls*. Jonson adapts this passage from Cicero, *Catiline Oration*, III. 16; Cicero told the Senate: "when I was engaged in ejecting Catilina from the city, I already foresaw that once he was out of the way there would be no need for me to be scared of the sleepy Publius Lentulus, or the corpulent Lucius Cassius, or the unhinged and hysterical Gaius Cethegus. Out of all those men, Catilina was the only one to be afraid of - and that only as long as he remained within the city walls" (Grant, p. 118).

239-44. An adaptation from Cicero, *Catiline Orations*, III. 22; Cicero told the Senate: "And think, also, of these delegates from Gaul. It is a country imperfectly pacified, the only remaining nation which seems both capable of fighting Rome and not unwilling to do so; and in order to get the better of us they did not even have to fight but merely to hold their peace. When they abandoned all their hopes of victory over Rome, when they gave up the enormous rewards offered them unsolicited by men of patrician rank, when they sacrificed their own advantage in the interests of your preservation, can you really believe there was no divine agency behind such happenings?" (Grant, p. 122).

248-257. Cicero, *Catiline Orations*, IV. 13: "So the distinguished grandfather of this Lentulus took up arms, went in pursuit of Gaius Gracchus, and even sustained a severe wound on that occasion, all in order that our country should come to no harm. But his grandson, on the other hand, seeks to plunge it into total anarchy; and for this purpose he mobilizes Gaulish tribesmen, whips up slaves, beckons Catilina in, hands us Senators to Cethegus to be massacred, passes the rest of the citizen body to Gabinius for slaughter, assigns the city of Rome to Cassius for burning, and gives over the whole of Italy to the victim of Catilina's lootings and ravages" (Grant, p. 138).

259-67. Cicero, *Catiline Orations*, IV. 11-12: "And yet I also have a vision of this city, the light of the world and the stronghold of every nation, suddenly plunged into all-engulfing flames. I see, in my mind's eye, our country reduced to a graveyard. I see the corpses of unburied citizens lying in miserable heaps; and I see the countenance of Cethegus gloating in maniac fashion over the dead bodies of you all. I picture Publius Lentulus fulfilling the destiny of his confessed ambitions and reigning as our lord, with Gabinius as his purple-clad henchman and Catilina on the spot with his army. I shudder at the wails of mothers, the panic flight of girls and boys, the rape of Vestal Virgins" (Grant, p. 137).

281-86. *Then, Marcus Crassus, ... Spinther*. From Sallust, *Catilina*, 47; of the "free custody" of the conspirators: "Lentulus therefore was delivered over to Publius Lentulus Spinther, who was then aedile; Cethegus to Quintus Cornificius; Statilius to Gaius Caesar; Gabinius to Marcus Crassus" (Handford, p. 211); also, Cicero, *Catiline Orations*, III. 15 (see note on 289 below).

289. *Let Lentulus put off his Praetor-ship*. Sallust, *Catilina*, 47: "the senate then decreed that Lentulus should resign his office" (Handford, p. 211); also, Cicero, *Catiline Orations*, III. 15: "The Senate also decreed that Publius Lentulus, when he had resigned from his praetorship, should be placed under arrest, and that Gaius Cethegus, Lucius Statilius and Publius Gabinius, all of whom were present, should likewise be taken into custody" (Grant, p. 117).

290. *I do resign it*. Plutarch, *Life of Cicero*, 19: After confessions from Silanus about the conspirators, "Lentulus was convicted. He resigned his office (he was praetor at the time), laid aside his purple-bordered robe in the senate, and put on other clothes more in keeping with his present circumstances" (Plutarch, *op. cit.*, p. 329).

291. *so, now, there's no offence done to religion.* Cicero, *Catiline Orations*, III. 15: "A thanksgiving was also decreed to the immortal gods for the exceptional favour they had bestowed upon us" (Grant, p. 117).

292. *piously.* Jonson shows here an extraordinary attentiveness to the minute details in his sources. The dramatist attributed the word 'piously' to Caesar, who had the position of 'pontifex maximus' at the time.

293-300. Sallust, *Catilina*, 50: The Senate voted "rewards to the Allobroges and Titus Voltrucius for giving information that had proved correct" (Handford, p. 215).

296. *And a reward.* Cicero, *Catiline Orations*, IV. 10, records that Caesar "favoured the resolution that substantial rewards should be conferred upon the witnesses [i.e. the Allobroges]" (Grant, p. 135).

301-2. Cicero, *Catiline Orations*, III. 14: "the praetors Lucius Flaccus and Gaius Pomptinus were justly and deservedly complimented because of the assistance afforded me by their valiant and loyal endeavours" (Grant, p. 117).

305-7. Cicero, *Catiline Orations*, III. 14: "I was thanked in very generous terms because my courage, wisdom and foresight had preserved the state from the gravest of perils"; and *ibid.*, 23, when Cicero tells the senate: "you have been saved from a miserable and horrible death. You have been saved without slaughter, without bloodshed, without an army, without a battle" (Grant, p. 122).

312. *a ciuicke gyrland.* This proposal was historically made, so long as Cicer's works are concerned, by Lucius Gellius Publicola, and not by Cato as in Jonson's play. Cicero, *In Pisonem*, 6; Aulus Gellius, V. vi. 15: "The illustrious Lucius Gellius ... asserted in the hearing of my audience that a civic crown was due to me from the commonwealth." (Cicero, *The Speeches*, translated by N. H. Watts, oeb Classical Library (London, 1958), p. 149).

313. *father of thy country.* *Ibid.*: "Quintus Catulus ... before a crowded meeting of the senate named me Father of my Country" (*Ibid.*).

314-18, 321-22. Cicero, *Catiline Orations*, III. 15: "A thanksgiving was also decreed to the immortal gods for the exceptional favour they had bestowed upon us. The decree was in my name, and this is the first time ever since the foundation of the city that such an honour has been conferred on a civilian. It was framed in these terms: *because I had saved the city from the flames, the citizens from massacre and Italy from war*" (Grant, pp. 117-18).

325-35. Cicero, *Catiline Orations*, III. 2: "Days on which we are preserved from danger are no less happy and bright than the day on which we were born. For there is a splendid certainty about the joy of being rescued from something, whereas the human condition to which we were born into this world is very far from certain - and, besides, while our births were accompanied by no feelings at all, to be rescued from peril is an exhilarating experience. And by this token, seeing that our affection and glorification have held the man who brought this city to birth to be worthy of a place in heaven, it is incumbent upon yourselves, and your descendants after you, to honour also the person who, now that Rome is founded and made great, has brought it salvation" (Grant, p. 111).

337-50. From Sallust, *Catilina*, 48: "On the next day a certain Lucius Tarquinius was brought before the Senate. He was said to have been on his way to join Catiline when he was arrested and brought back... He went on to say that he had been sent by Marcus Crassus to tell Catiline not to be dismayed by the arrest of Lentulus, Cethegus,

and the other conspirators, but to march all the more quickly on that account, with the object both of encouraging those of his partisans who were still at liberty and of facilitating the rescue of the prisoners. The mention of Crassus's name - a nobleman possessed of immense wealth and influence - gave the Senate pause. Some considered Tarquinius's allegation incredible. Others, though they believed it, thought that in such a crisis a powerful man like Crassus should be conciliated rather than provoked. Many, too, were indebted to him as the result of private business transactions. So they all began to shout, saying that the informer was a liar, and demanded a debate on the subject. It was accordingly brought upon the agenda by Cicero, and a full house registered its opinion that the information was false, and decreed that Tarquinius should be kept in custody and not permitted to make any further statement unless he revealed the name of the person who had suborned him to fabricate such a grave indictment ... At a later date I actually heard Crassus declare with his own lips that this infamous accusation had been made against him by Cicero" (Handford, pp. 212-13).

351-60. *accusing Caesar*. Jonson's authority for these lines, as H. & S. pointed out (X. p. 156n.), is Suetonius, *Divus Iulius*, 17: "He [i.e. Caesar] again fell into danger by being named among the accomplices of Catiline, both before the commissioner Novius Niger by an informer called Lucius Vettius and in the senate by Quintus Curius, who had been voted a sum of money from the public funds as the first to disclose the plans of the conspirators. Curius alleged that his information came directly from Catiline, while Vettius actually offered to produce a letter to Catiline in Caesar's handwriting. But Caesar, thinking that such an indignity could in no wise be endured, showed by appealing to Cicero's testimony that he had of his own accord reported to the consul certain details of the plot, and thus prevented Curius from getting the reward." (Suetonius, translated by J. C. Rolfe, vol. I., p. 21).

367ff. This is a close paraphrase of Catiline's speech as reported by Sallust, *Catilina*, 58, in addition to a few rearrangements and omissions: "'I am well aware, soldiers,' he said, 'that mere words cannot put courage into a man: that a frightened army cannot be rendered brave, or a sluggish one transformed into a keen one, by a speech from its commander. Every man has a certain degree of boldness, either natural or acquired by training; so much, and no more, does he generally show in battle. If a man is stirred neither by the prospect of glory nor by danger, it is a waste of time to exhort him: the fear that is in his heart makes him deaf. However, I have called you together to give you a few words of advice and to tell you the reason for my present purpose.

'You know, I expect, what lack of energy and enterprise Lentulus showed, and how disastrous it has been for himself and for us; and that by waiting for reinforcements to come from Rome I have lost the chance of setting out for Gaul. Our present plight is as obvious to all of you as it is to me. Two enemy armies, one between us and Rome, the other between us and Gaul, bar our way. To remain any longer where we are, however much we might want to, is impossible, because we lack corn and other supplies. Wherever we decide to go, we must use our swords to cut a way through. Therefore I counsel you to be brave and resolute, and when you go into battle to remember that riches, honour, glory, and, what is more, your liberty and the future of your country, lie in your right hands. If we win we shall be sure of getting all we want: we shall have plenty of supplies and all the towns will open their gates. But if fear makes us yield, everything will be against us: no place and no friend will protect a man whom his arms have failed to protect. Moreover, soldiers, our adversaries are not impelled by the same necessity as we are... You might have lived dishonoured lives in exile. Some of you could even have hoped to return to Rome, and - since all your property would have been confiscated - wait for the bounty of others to relieve you. Because such an existence seemed shameful and unbearable for men worthy of the name, you chose the course that has brought you to your present position... no one but a victor can survive war to enjoy the fruits of peace. To hope for safety in flight, after turning away from the enemy those arms which are your sole protection, is indeed folly... if ... Fortune robs your valour of its just reward, see that

you do not sell your lives cheaply... Fight like me: let bloodshed and mourning be the price that the enemy will have paid for his victory" (Handford, pp. 229-231).

424-32. The source for this passage is Sallust, *Catilina*, 50: "While the Senate was transacting the business already described ... Lentulus's freedmen and a few of his dependants were scouring the streets and trying to incite the workmen and slaves to rescue him. Some of them were also seeking the gangleaders who made a trade of organizing public disturbances. Cethegus, too, sent messages to his slaves and freedmen - a picked and trained body of men - urging them to take the bold step of forming an armed band and breaking into his place of confinement" (Handford, p. 215). Another source is Cicero, *Catiline Orations*, IV. 17: "A rumour is going about concerning a pimp of Lentulus who circulates around the shops and hopes to corrupt the minds of poor and simple men by bribery" (Grant, p. 141).

437. *Syllanus*. Sallust, *Catilina*, 50: "Decimus Junius Silanus was called on to speak first because he was consul elect. He proposed that the conspirators already in custody ... should be executed" (Handford, p. 215).

447-97. (Caesar's speech in the Senate). This passage is taken, with much compression and omission, from Sallust, *Catilina*, 51: "'Whoever, gentlemen, is deliberating upon a difficult question ought to clear his mind of hatred and affection and of anger and compassion. It is not easy to discern the truth when one's view is obstructed by such emotions... You ..., gentlemen, must take care that the guilt of Publius Lentulus and the others does not outweigh your sense of what is fitting, and that you do not indulge your resentment at the expense of your reputation. If a punishment can be found that is really adequate to their crimes, I am willing to support a departure from precedent; but if the enormity of their wickedness is such that no one could devise a fitting penalty, then I think we should content ourselves with those provided by the laws... If humble men, who pass their lives in obscurity, are provoked by anger to do wrong, few know of it, because few know anything about such unimportant people. But men in positions of great power live, as it were, on an eminence, and their actions are known to all the world. The higher our station, the less is our freedom of action. We must avoid partiality and hatred, and above all anger; for that in others would be called merely an outburst of temper, in those who bear rule is called arrogance and cruelty... I am sure that Decimus Silanus spoke on this serious matter with the best interest of his country at heart, and not from a desire to please anyone or to gratify feelings of personal enmity; for I know him both as a gallant patriot and a man of wise discretion. Yet his proposal strikes me - I will not say, as harsh, for in dealing with such men nothing could be properly described as harsh - but as out of keeping with the traditions of our Republic.

"Surely, Silanus, it must have been either fear or a sense of outrage that impelled you, a consul elect, to suggest a form of punishment that is without precedent. Fear can be left out of the question, especially as, thanks to the precautions taken by our distinguished consul, we have such strong guards under arms. As regards the penalty you proposed, it would be relevant to observe that to men in grief and wretchedness death comes as a release from suffering, not as a punishment to be endured, because it puts an end to all the ills that flesh is heir to, and beyond it there is no place for either tears or rejoicing... But there are other laws which provide that convicted citizens shall not be put to death, but shall be permitted to go into exile [this corresponds to line 481]... Am I suggesting, you will ask, that the prisoners be released to go and swell Catiline's army? By no means. My advice is that their goods be confiscated, and that they be imprisoned in such towns as are best provided to undertake their custody. Further, that their case shall not thereafter be debated in the Senate or brought before a public assembly; if anyone contravenes this prohibition, the Senate should, I suggest, register its opinion that his action will be treasonable and contrary to the public interest" (Handford, pp. 216-18, 220-21).

499-515. Cicero's speech is incorporated from separate passages in Cicero's fourth oration against Catiline, 1: "Senators, I see your heads and eyes all turned in my direction" (Grant, p. 129). *Ibid.*, 7: "I see that up to now there are two proposals. One was made by Decimus Silanus, who moves that the men who attempted to destroy our community should be put to death. The other is the proposal of Gaius Caesar, who sets aside the death penalty but welcomes the full rigour of the other punishments. Each of these two gentlemen, in accordance with his own lofty rank and the grave issues involved, desires that the greatest severity should be shown... Silanus ... recalls that, in dealing with vicious Roman citizens, the government has always made use of this kind of punishment before [ll. 404-5]. Caesar, on the other hand, takes the view that death has been appointed by the gods not as a punishment at all, but as an inevitable natural happening... Whereas imprisonment, he says, including imprisonment for life, was unmistakably devised as the special penalty for atrocious crimes" (Grant, pp. 133-34). Also *ibid.*, 18 (Jonson here adapts from his source): "You have a leader who is thinking of you and not of himself" (Grant, p. 142), [ll. 509-10]; *ibid.*, 20: "Perhaps I am in grave danger of death at their hands. Yet death comes to everybody" (Grant, p. 143), [l. 513]; *ibid.*, 24: "I have declined the opportunity of a Triumph and other honours, in order to devote myself to the protection of this city and yourselves" (Grant, p. 144); *ibid.*, 3: "Because, if disaster befall me, I shall die tranquil and fully prepared. For to the brave there is no disgrace in death. To a man who has occupied the consulship it cannot be untimely; to a man of wisdom there is nothing tragic about it" (Grant, pp. 130-31), [ll. 513-15].

516-17. As H. & S. pointed out (X., 158n.), Jonson's authority on these lines is derived from the following passage in Suetonius, *Divus Julius*, 14: "When the conspiracy of Catiline was detected, and all the rest of the senate favoured inflicting the most extreme penalty on those implicated in the plot, Caesar, who was now praetor elect, alone proposed that their goods be confiscated and that they be imprisoned each in a separate town. Nay, more, he inspired such fear in those who favoured severer measures, by picturing the hatred with the Roman commons would feel for them for all future time, that Decimus Silanus, consul elect, was not ashamed to give a milder interpretation of his proposal (since it would have been humiliating to change it) alleging that it had been understood in a harsher way than he intended." (Suetonius, in *Two Volumes*, translated by J. C. Rolfe, Loeb Classical Library (London, rept, 1951), vol. I, p. 17).

518ff. (Cato's speech). Jonson's authority is Suetonius, *Divus Julius*, 14: "Caesar would have prevailed too, for a number had already gone over to him, including Cicero, the consul's brother, had not the address of Marcus Cato kept the wavering senate in line." (*Ibid.*).

518-66. This passage is incorporated, with a few omissions and compression, from Sallust, *Catilina*, 52: "they [i.e. Silanus and Caesar] were discussing the punishment to be meted out to these men who have planned to make war on their country, parents, altars, and hearths. But the situation warns us rather to take precautions against them than to deliberate what sentence we shall pass on them. Other crimes can be punished when they have been committed; but with a crime like this, unless you take measures to prevent it being committed, it is too late: once it has been done, it is useless to invoke the law...

"But let them not make a present out of our life-blood, and by sparing a handful of criminals go the way to destroy all honest men.

"It was an eloquent and polished lecture that Gaius Caesar delivered to you a few minutes ago on the subject of life and death. Evidently he disbelieves the account men give of the next world - how the wicked go a different way from the good, and inhabit a place of horror, fear, and noisome desolation. Therefore he recommended that the property of the accused should be confiscated and that they should be imprisoned in various towns. No doubt he feared that if they remained in Rome, either the adherents of the conspiracy or a hired mob might rescue them by force. What

does he think? Are there bad characters and criminals only at Rome, and not all over Italy? Is reckless violence not more likely to succeed where there is less strength to resist it? His proposals are useless if he apprehends danger from the conspirators; and if amid such universal fear he alone is not afraid, I have the more reason to be afraid for myself and for you...

"And are you still hesitating and unable to decide how to treat public enemies taken within your walls? I suggest you take pity on them - they are young men led astray by ambition; armed though they are, let them go. But mind what you are doing with your clemency and compassion: if they unsheathe the sword, you may have reason to regret your attitude ... you are so indolent and weak that you stand irresolute, each waiting for someone else to act - trusting, doubtless, to the gods, who have often preserved our Republic in times of deadly peril. I tell you that vows and womanish supplications will not secure divine aid; it is by vigilance, action, and wise counsel, that all success is achieved. If you give way to sloth and cowardice, the gods turn a deaf ear to your entreaties: their wrath makes them your enemies" (Handford, pp. 22i-24).

Ibid., "Spare Lentulus for his high rank - if he ever spared his own chastity and good name, or showed any respect for god or man" [ll. 555-57], (Handford, p. 224).

Ibid., : "We can make no plans or preparations without its being known - an additional reason for acting quickly" (Handford, p. 225).

572. *Letters, for Caesar.* The source is, as H. & S. pointed out (X., 159n.), is Plutarch, *Life of Cato Minor*, 24: "It is reported, that when *Cato* that day was so whot, and vehemence against *Caesar*, that all the Senate cvould but looke at them. to heare them both: a letter was delivered *Caesar*, sent him into the house. *Cato* began presently to suspect it, & so earnestly misliked of it, that many of the senators being offended, commaunded his letter should be seene and red openly. *Caesar* thereupon reached his letter unto *Cato*, that sate not farre from him. When *Cato* had red it, and found that it was a love letter which his sister *Servilia* had written unto *Caesar*, whom she loved, and had knowne: he cast iot againe to *Caesar*, and said, there, dronkard." (Plutarch, *The Lives of the Noble Grecians and Romans*, translated by out of Greek into French by Thomas James Amyot, and out of French into English by Thomas North, vol. V, pp. 419-20). It is significant, of course, that Jonson, though he does not alter this historical detail, he plays down the love relationship between Caesar and Cato's sister, hence maintains the dignity of his favourable character. Such a move, moreover, serves to highten the dramatic intensity in the play by leaving the question of Caesar's actual complicity in Catiline's conspiracy in this play open and unresolved.

580. *Caesar shall repent it.* Suetonius, *Divus Iulius*, 14:

"Yet not even then did he cease to delay the proceedings, but only when an armed troop of Roman knights that stood on guard about the place threatened him with death as he persisted in his headstrong opposition. They even drew their swords and made such passes at him that his friends who sat next him forsook him, while a few had much ado to shield him in their embrace or with their robes" (Suetonius, translated by J. C. Rolfe, pp. 17, 19).

584. *Bid 'hem wait on us. On, to Spinthers house ...* Jonson paraphrases Plutarch, *Life of Cicero*, 22: "Cicero then went to fetch the conspirators and the members of the senate went with him. The conspirators were not all in the same place; they had been distributed for safe keeping among the praetors. First he called for Lentulus from the Palatine hill and led him down the Sacred Way through the middle of the forum,... Cicero crossed the forum and then delivered Lentulus to the public executioner with orders that he should be put to death. Next was the turn of Cethegus, and so he brought down all the rest in order and had them executed" (Plutarch, *op. cit.*, p. 332).

584. *Spinthers house*. H. & S. (X. p. 159n.), suggested the scene at this point was staged "by using the two side-doors and the two 'ends' or sides of the stage for the houses; possibly the alcove or middle-stage was the prison to which the conspirators were taken."

610. *parent of thy countrie*. Cicero was first given the title "*pater patriae*" by Catulus in the Senate (*Pro Sestio*, 121). Plutarch, however, in *Life of Cicero*, 23, reported that Cato was actually the first Roman to salute Cicero as "*pater patrae*" in the popular assembly (see H. & S., X. p. 159n.); also, Cicero, *de consulatu suo poema*.

638-9, 642-3, 645-6. The source is Lucan, *Pharsalia*, VII. 129-33: "The pale flag of coming death appeared on many faces; and their aspect was the very picture of doom. To was clear to all that a day had come which must settle the destiny of mankind for ages, and that this battle must decide what Rome was to be" -- Lucan, *Pharsalia*, translated by J. D. Duff, p. 379.

651-5. Lucan, *Pharsalia*, I. 100-6: "So the Isthmus of Corinth divides the main and parts two seas with its slender line, forbidding them to mingle their waters; but if its soil were withdrawn; it would dash the Ionian sea against the Aegean. Thus Crassus kept apart the eager combatants; but when he met his pitiable end and stains Syrian Carrhae with Roman blood, the loss inflicted by Parthia let loose the madness of Rome" (Lucan, *Pharsalia*, translated by J. D. Duff, p. 11).

657. *Pietie left the field*. The source is perhaps Seneca, *Octavia*, 160: "Then holy Piety with trembling step withdrew") -- *Seneca's Tragedies*, translated by Frank Justus Miller, in Two Volumes, Loeb Classical Library (London, 1917), II, p. 421.

659. *They knew not...* Lucan, *Pharsalia*, VI. 147-8: "Ready for any wickedness, he know not that valour in civil war is a heinous crime" (Lucan, *Pharsalia*, translated by J. D. Duff, p. 315).

672, 674-6. *like a Lybian lyon*. Lucan, *Pharsalia*, I. 205-12: "So on the untilled fields of sultry Libya, when the lion sees his foe at hand, he crouches down at first uncertain till he gathers all his rage; but soon, when he has maddened himself with the cruel lash of his tail, and made his mane stand up, and sent forth a roar from his cavernous jaws, then, if the brandished lance of the nimble Moor stick in his flesh or a spear pierce his great chest, he passes on along the length of the weapon, careless of sore a wound." (Lucan, *Pharsalia*, p. 19).

677-83. Claudian, *Gigantomachia*, LII. (XXXVII), 91-101: "Minerva rushed forward presenting her breast wherupon glittered the Gorgon's head. The sight of this, she knew, was enough: she needed not to use a spear. One look sufficed. Pallas drew no nearer, raged as he might, for he was the first to be changed into a roch. When, at a distance from his foe, without a wound, he found himself rooted to the ground, and felt the murderous visage turn him, little by little, to stone (and all but stone he was) he called out, 'What is happening to me? What is this ice that creeps o'er all my limbs? What is this numbness that holds me prisoner in these marble fetters?' Scarce had he uttered these few words when he was what he feared" (*Claudian*, translated by Maurice Platnauer, in Two Volumes, Loeb Classical Library (London, 1922), II, pp. 289).

685-6. *yet did his look retayne ... fierceness*. Sallust, *Catiline*, 61: "Catiline himself was found far from his own men among the dead bodies of his adversaries. He was still just breathing, and his face retained the look of haughty defiance that had marked him all through his life" (Handford, p. 233).

585-7. *Bring Lentulus forth. ... strangle him*. Sallust, *Catilina*, 55: "After Lentulus had been lowered into this chamber, the executioners carried out their orders and strangled him with a noose" (Handford, p. 227).

604-6. *Leade /To Caius Caesar, for Statilius ...* Sallust, *Catilina*, 55: "Cethegus, Statilius, Gabinius, and Caeparius suffered the same punishment" (Handford, p. 227).

667ff. From Sallust, *Catilina*, 60: "Catiline, when he saw his army routed and himself left with a handful of men, remembering his noble birth and the high rank he had once held, plunged into the serried mass of his enemies and fought on till he was pierced through and through" (Handford, p. 232).

688. *A braue bad death.* Florus, *Epitoma*, II. xii. 12: "Catiline was discovered far in front of his fellows amid the dead bodies of his foes, thus dying a death which would have been glorious if he had thus fallen fighting for his country." (Lucius Annaeus Florus, *Epitome of Roman History*, translated by E. S. Forster, p. 265).

700-2. Pliny, *Epistulae*, I. VIII. 14: "Fame should be the result, not the purpose of our conduct, and if for some reason it fails to follow, there is no less merit in cases where it was deserved" (Pliny, *Letters and Panegyricus*, I., translated by Betty Radice, Loeb Classical Library (London, 1969), p. 25).

APPENDICES C & D

**The State Trials of Sir Walter Raleigh
and Sir Henry Vane**

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APPENDIX C

COBBETT'S
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OF
State Trials.

74. The Trial of Sir WALTER RALEIGH, knt. at Winchester, for High
Treason: 1 JAMES I. 17th of November, A.D. 1603.

THE Commissioners were, Henry Howard, earl of Suffolk, Lord Chamberlain; Charles Blunt, earl of Devon; lord Henry Howard, afterwards earl of Northampton; Robert Cecil, earl of Salisbury; Edward lord Wotton of Morley; sir John Stanhope, Vice Chamberlain, L. C. Justice of England, Popham; L. C. Justice of the Common-Pleas, Anderson; Mr. Justice Gawdie; Justice Warburton; and sir W. Wade.

First, the Commission of Oyer and Terminer was read by the Clerk of the Crown Office; and the prisoner bid to hold up his hand.

And then presently the INDICTMENT, which was in effect as followeth:

"That he did conspire, and go about to deprive the king of his Government; to raise up Sedition within the realm; to alter religion, to bring in the Roman Superstition and to procure foreign enemies to invade the kingdom. That the lord Cobham, the 9th of June last, did meet with the said sir Walter Raleigh in Durham-house, in the parish of St. Martin's in the Fields, and then and there had conference with him, how to advance Arabella Stuart* to the crown and royal throne of this

kingdom; and that then and there it was agreed, that Cobham should treat with Aramburg, ambassador from the archduke of Austria, to obtain of him 600,000 crowns, to bring to pass their intended treason. It was agreed that Cobham should go to the archduke Albert, to procure him to advance the pretended title of Arabella: from thence knowing that Albert had not sufficient means to maintain his own army in the Low Countries, Cobham should go

lady was daughter to Charles Stuart, (younger brother to our king's father) by Elizabeth Cavendish, and was married some years past to sir William Seymour, son to the lord Beauchamp, and grandchild to Edward earl of Hertford; both at some distance allied to the crown, therefore such a conjunction would not be admitted in the Royal Almanack; so dreadful is every apparition that comes near princes titles. Sir William Seymour for the marriage was committed to the Tower, and the lady Arabella confined to her house at High-gate. But after some imprisonment, they conclude to escape beyond sea together; appointing to meet at a certain place upon the Thames. Sir William leaving his man in his bed, to act his part with his keeper, got out of the Tower in a disguise, and came to the place appointed. She, dressed like a young gallant in man's attire, followed him from her house; but staying long above the limited time, made him suspicious of her interception; so that he went away, leaving notice if she came, that he was gone away before to Dunkirk. She, good lady, fraught with more fears, and lagging in her flight, was apprehended, brought back to the Tower, and there finished her earthly pilgrimage. She being dead, sir William Seymour got leave to return home, and married since to the lady Frances, daughter to the late earl of Essex."

* This Arabella Stuart was daughter of Charles Stuart earl of Lennox, brother of Henry lord Darnley father of king James the 1st. These Charles and Henry were sons of Margaret the daughter of Margaret eldest sister of Henry 8th, and mother of James the 5th of Scotland, father of the celebrated Mary the mother of James the 1st of England. The contemporary historian Wilson, after mentioning the poisoning of Overbury, writes thus: "The lady Arabella dying about this time in the Tower, set mens tongues and fears at work, that she went the same way. Such mischief doth one evil action introduce, that it makes a great road for jealousy to pursue after it. The

3] STATE TRIALS, 1 JAMES I. 1603.—*Trial of Sir Walter Raleigh*, [1

to Spain to procure the king to assist and further her pretended title.—It was agreed, the better to effect all this Conspiracy, that Arabella should write three Letters: one to the Archduke, another to the king of Spain, and a third to the duke of Savoy; and promise three things:—1. To establish a firm Peace between England and Spain. 2. To tolerate the Popish and Roman Superstition. 3. To be ruled by them in contracting of her Marriage.—And for the effecting of these traiterous purposes, Cobham should return by the isle of Jersey, and should find sir Walter Raleigh captain of the said Isle, there, and take counsel of Raleigh for the distributing of the aforesaid crowns, as the occasion or discontentment of the subjects should give cause and way.—And further, That Cobham and his brother Brook met on the 9th of June last, and Cobham told Brook all these Treasons: to the which Treasons Brook gave his assent, and did join himself to all these. And after, on the Thursday following, Cobham and Brook did speak these words; ‘That there would never be a good world in England, till the king’ (meaning our sovereign lord) ‘and his cubs’ (meaning his royal issue) ‘were taken away.’—And the more to disable and deprive the king of his crown, and to confirm the said Cobham in his intents, Raleigh did publish a Book, falsly written against the most just and royal Title of the king, knowing the said Book to be written against the just Title of the king; which Book Cobham after that received of him. Further, for the better effecting these traiterous purposes, and to establish the said Brook in his intent, the said Cobham did deliver the said Book unto him the 14th of June. And further, the said Cobham, on the 16th of June, for accomplishment of the said Conference, and by the traiterous instigation of Raleigh, did move Brook to incite Arabella to write to the three forenamed princes, to procure them to advance her Title; and that she after she had obtained the crown, should promise to perform three things, viz. 1. Peace between England and Spain. 2. To tolerate with impunity the Popish and Roman Superstitions. 3. To be ruled by them three in the contracting of her marriage.—To these motions the said Brook gave his assent. And for the better effecting of the said Treasons, Cobham on the 17th of June, by the instigation of Raleigh, did write Letters to count Aremberg, and did deliver the said Letters to one Matthew de Lawrence, to be delivered to the said count, which he did deliver, for the obtaining of the 600,000 crowns; which money by other Letters count Aremberg did promise to perform the payment of; and this Letter Cobham received the 18th of June. And then did Cobham promise to Raleigh, that when he had received the said money, he would deliver 8000 crowns to him, to which motion he did consent; and afterwards Cobham offered Brook, that after he should receive the said crowns, he would give to him 10,000 thereof; to which motion Brook did assent.”

To the Indictment, Sir Walter Raleigh pleaded Not Guilty.

The Jury were sir Ralph Conisby, sir Thomas Fowler, sir Edward Peacock, sir Wm. Rowe, knights; Henry Goodyer, Thomas Walker, Roger Wood, Thomas Whitby, esquires; Tho. Highgate, Robert Kempton, John Chawkey, Robert Bromley, gentlemen.

Sir Walter Raleigh, Prisoner, was asked, Whether he would take exceptions to any of the Jury?

Raleigh. I know none of them; they are all Christians, and honest gentlemen, I except against none.

E. of Suffolk. You gentlemen of the king’s learned Counsel, follow the same course as you did the other day.

Raleigh. My lord, I pray you I may answer the points particularly as they are delivered, by reason of the weakness of my memory and sickness.

L. C. J. Popham. After the king’s learned council have delivered all the Evidence, sir Walter, you may answer particularly to what you will.

Heale, the King’s Serjeant. You have heard of Raleigh’s bloody attempts to kill the king and his royal progeny, and in place thereof, to advance one Arabella Stuart. The particulars of the Indictment are these: First, that Raleigh met with Cobham the 9th of June, and had Conference of an Invasion, of a Rebellion, and an Insurrection, to be made by the king’s subjects, to depose the king, and to kill his children, poor babes that never gave offence. Here is blood, here is a new king and governor. In our king consists all our happiness, and the true use of the Gospel; a thing which we all wish to be settled, after the death of the queen. Here must be Money to do this, for money is the sinew of war. Where should that be had? count Aremberg must procure it of Philip king of Spain, five or six hundred thousand crowns; and out of this sum Raleigh must have 8000. But what is that count Aremberg? Though I am no good Frenchman, yet it is as much as to say in English, earl of Aremberg. Then there must be Friends to effect this: Cobham must go to Albert archduke of Austria, for whom Aremberg was ambassador at that time in England. And what then? He must persuade the duke to assist the pretended title of Arabella. From thence Cobham must go to the king of Spain, and persuade him to assist the said title. Since the Conquest, there was never the like Treason. But out of whose head came it? Out of Raleigh’s, who must also advise Cobham to use his brother Brook to incite the lady Arabella to write three several Letters, as aforesaid in the Indictment: all this was on the 9th of June. Then three days after, Brook was acquainted with it. After this, Cobham said to Brook, ‘It will never be well in England, till the king and his ‘cubs’ are taken away.’ Afterwards, Raleigh delivered a book to Cobham, treacherously written against the Title of

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the king. It appears that Cobham took Raleigh to be either a God, or an idol. Cobham endeavours to set up a new king, or governor; God forbid mine eyes should ever see so unhappy a change. As for the lady Arabella, she, upon my conscience, hath no more Title to the crown than I have, which before God I utterly renounce. Cobham, a man bred in England, hath no experience abroad; but Raleigh, a man of great wit, military, and a sword-man. Now, whether these things were bred in a hollow tree, I leave to them to speak of, who can speak far better than myself.—And so sat him down again.

Attorney General (Sir Ed. Coke) I must first, my lords, before I come to the cause, give one caution, because we shall often mention persons of eminent places, some of them great monarchs: whatever we say of them, we shall but repeat what others have said of them; I mean the Capital Offenders in their Confessions. We professing law, must speak reverently of kings and potentates. I perceive these honourable lords, and the rest of this great assembly, are come to hear what hath been scattered upon the wrack of report. We carry a just mind, to condemn no man, but upon plain Evidence. Here is Mischief, Mischief in *summo gradu*, exorbitant Mischief. My Speech shall chiefly touch these three points; Imitation, Supportation, and Defence.—The Imitation of evil ever exceeds the Precedent; as on the contrary, imitation of good ever comes short. Mischief cannot be supported but by Mischief; yea it will so multiply, that it will bring all to confusion. Mischief is ever underpropped by falshood or foul practices: and because all these things did concur in this Treason, you shall understand the main, as before you did the bye.—The Treason of the bye consisteth in these Points: first, that the lord Grey, Brook, Markham, and the rest, intended by force in the night to surprize the king's court; which was a Rebellion in the heart of the realm, yea, in the heart of the heart, in the Court. They intended to take him that is a sovereign, to make him subject to their power, purposing to open the doors with musquets and cavaliers, and to take also the Prince and Council: then under the king's authority to carry the king to the Tower; and to make a stale of the admiral. When they had the king there, to extort three things from him: first, A Pardon for all their Treasons: Secondly, A Toleration of the Roman Superstition; which their eyes shall sooner fall out than they shall ever see; for the king hath spoken these words in the hearing of many, 'I will lose the crown and my life, before ever I will alter Religion.' And thirdly, To remove Counsellors. In the room of the Lord Chancellor, they would have placed one Watson a priest, absurd in Humanity and ignorant in Divinity. Brook, of whom I will speak nothing, Lord Treasurer. The great Secretary must be Markham; *Oculus patriæ*. A hole must be found in my Lord Chief Jus-

tice's coat. Grey must be Earl-Marshal, and Master of the Horse, because he would have a table in the court; marry, he would advance the earl of Worcester to a higher place. All this cannot be done without a multitude: therefore Watson the priest tells a resolute man, that the king was in danger of Puritans and Jesuits: so to bring him in blindfold into the action, saying, That the king is no king till he be crowned; therefore every man might right his own wrongs: but he is *rex natus*, his dignity descends as well as yours, my lords. Then Watson imposeth a blasphemous Oath, that they should swear to defend the king's person: to keep secret what was given them in charge, and seek all ways and means to advance the Catholic Religion. Then they intend to send for the Lord Mayor and the Aldermen, in the king's name, to the Tower; lest they should make any resistance, and then to take hostages of them; and to enjoin them to provide for them victuals and munition. Grey, because the king removed before Midsummer, had a further reach, to get a Company of Sword-men to assist the action: therefore he would stay till he had obtained a regiment from Ostend or Austria. So you see these Treasons were like Sampson's foxes, which were joined in their tails, though their heads were severed.

Raleigh. You Gentlemen of the Jury, I pray remember, I am not charged with the Bye, being the Treason of the priest.

Attorney. You are not. My lords, you shall observe three things in the Treasons: 1. They had a Watch-word (the king's safety); their Pretence was *Bonum in se*; their Intent was *Malum in se*; 2. They avouched Scripture; both the priests had *Scriptum est*; perverting and ignorantly mistaking the Scriptures: 3. They avouched the Common Law, to prove that he was no king until he was crowned; alledging a Statute of 13 Eliz. This, by way of Imitation, hath been the course of all Traitors.—In the 20th of Edw. 2. Isabella the Queen, and the lord Mortimer, gave out, that the king's Person was not safe, for the good of the Church and Commonwealth. The Bishop of Carlisle did preach on this Text, 'My head is grieved,' meaning by the Head, the King; what when the Head began to be negligent, the people might reform what's amiss. In the 3rd of Henry 4, sir Roger Clarendon, accompanied with two priests, gave out, that Richard 2, was alive, when he was dead. Edward 3 caused Mortimer's head to be cut off, for giving counsel to murder the king. The 3rd of Henry 7. sir Henry Stanley found the crown in the dust, and set it on the king's head: when Fitzwater and Garret told him, that Edward 3 was alive, he said, 'If he be alive, I will assist him.' But this cost him his head. Edmund de la Pole, duke of Suffolk, killed a man in the reign of king Henry 7. for which the king would have him hold up his hand at the bar, and then pardoned him: Yet he took such an offence thereat, that he sent to the noblemen to help to reform the Commonwealth; and then said, he

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would go to France and get power there. Sir Roger Compton knew all the Treason, and discovered Windon and others that were attainted. He said, there was another thing that would be stood upon, namely, that they had but one Witness. Then he vouched one Appleyard's Case, a Traitor in Norfolk, who said, a man must have two accusers. Helms was the man that accused him; but Mr. justice Catlin said, that that Statute was not in force at that day. His words were, 'Thrust her into the ditch.' Then he went on speaking of Accusers, and made this difference: an Accuser is a speaker by report, when a Witness is he that upon his oath shall speak his knowledge of any man.—A third sort of Evidence there is likewise, and this is held more forcible than either of the other two; and that is, when a man, by his accusation of another, shall, by the same accusation, also condemn himself, and make himself liable to the same fault and punishment: this is more forcible than many Witnesses. So then so much by way of Imitation.—Then he defined Treason: there is Treason in the heart, in the hand, in the mouth, in consummation: comparing that *in corde* to the root of a tree; *in ore*, to the bud; *in manu* to the blossom; and that which is *in consummatione*, to the fruit.—Now I come to your Charge, You of the Jury: the greatness of Treason is to be considered in these two things, *Determinatione finis*, and *Electione mediorum*. This Treason excelleth in both, for that it was to destroy the king and his progeny. These Treasons are said to be *Crimen læsæ majestatis*; this goeth further, and may be termed, *Crimen extirpanda regia majestatis, & totius progeniei sue*. I shall not need, my lords, to speak any thing concerning the King, nor of the bounty and sweetness of his nature, whose thoughts are innocent, whose words are full of wisdom and learning, and whose works are full of honour: although it be a true Saying, *Nunquam nimis quod nunquam satis*. But to whom do you bear Malice? to the Children?

Raleigh. To whom speak you this? You tell me news I never heard of.

Attorney. Oh, sir, do I? I will prove you the notorious Traitor that ever came to the bar. After you have taken away the King, you would alter Religion: as you sir Walter Raleigh, have followed them of the Bve in Imitation: for I will charge you with the Words.

Raleigh. Your words cannot condemn me; my innocency is my defence. Prove one of these things wherewith you have charged me, and I will confess the whole Indictment, and that I am the horriblest Traitor that ever lived, and worthy to be crucified with a thousand thousand torments.

Attorney. Nay, I will prove all: thou art a monster; thou hast an English face, but a Spanish heart. Now you must have Money: Arenberg was no sooner in England (I charge thee Raleigh) but thou incitedst Cobham to go unto him, and to deal with him for Money, to bestow

on discontented persons, to raise Rebellion on the kingdom.

Raleigh. Let me answer for myself.

Attorney. Thou shalt not.

Raleigh. It concerneth my life.

L. C. J. Sir Walter Raleigh, Mr. Attorney is but yet in the General: but when the king's Counsel have given the Evidence wholly you shall answer every Particular.

Attorney. Oh! do I touch you?

Lord Cecil. Mr. Attorney, when you have done with this General Charge, do you not mean to let him answer every Particular?

Attorney. Yes, when we deliver the Proofs to be read. Raleigh procured Cobham to go to Arenberg, which he did by his instigation: Raleigh supped with Cobham before he went to Arenberg; after supper, Raleigh conducted him to Durham-house; from thence Cobham went with Lawrency, a servant of Arenberg's, unto him, and went in by a back way. Cobham could never be quiet until he had entertained this motion, for he had four Letters from Raleigh. Arenberg answered, The Money should be performed, but knew not to whom it should be distributed. Then Cobham and Lawrency came back to Durham-house, where they found Raleigh. Cobham and Raleigh went up, and left Lawrency below, where they had secret conference in a gallery: and after, Cobham and Lawrency departed from Raleigh. Your jargon was Peace: What is that? Spanish Invasion, Scottish Subversion. And again, you are not a fit man to take so much Money for procuring of a lawful Peace, for peace procured by money is dishonourable. Then Cobham must go to Spain, and return by Jersey, where you were Captain: and then, because Cobham had not so much policy, or at least wickedness, as you, he must have your advice for the distribution of the Money. Would you have deposed so good a king, lineally descended of Elizabeth, eldest daughter of Edward 4? Why then must you set up another? I think you meant to make Arabella a Titular Queen, of whose Title I will speak nothing; but sure you meant to make her a stale. Ah! good lady, you could mean her no good.

Raleigh. You tell me news, Mr. Attorney.

Att. Oh, sir! I am the more large, because I know with whom I deal: for we have to deal to-day with a man of wit.

Raleigh. Did I ever speak with this lady?

Att. I will track you out before I have done. Englishmen will not be led by persuasion of words, but they must have books to persuade.

Raleigh. The Book was written by a man of your profession, Mr. Attorney.

Att. I would not have you impatient.

Raleigh. Methinks you fall out with yourself; I say nothing.

Att. By this Book you would persuade men, that he is not the lawful king. Now let us consider some circumstances: My lords, you know my lord Cobham (for whom we all lament and rejoice; lament in that his house, which

hath stood so long unspotted, is now ruinated; rejoice, in that his Treasons are revealed :) he is neither politician nor sword man; Raleigh was both, united in the Cause with him, and therefore cause of his destruction. Another circumstance is, the secret contriving of it. Humphry Stafford claimed Sanctuary for Treason. Raleigh, in his Machiavelian policy, hath made a Sanctuary for Treason: He must talk with none but Cobham; because, saith he, one Witness can never condemn me. For Brook said unto sir Griffith Markham, 'Take heed how you do make my lord Cobham acquainted; for whatsoever he knoweth, Raleigh the witch will get it out of him.' As soon as Raleigh was examined on one point of Treason concerning my lord Cobham, he wrote to him thus; 'I have been examined of you, and confessed nothing.' Further, you sent to him by your trusty Francis Kemish, that one Witness could not condemn: and therefore bad his lordship be of good courage. Came this out of Cobham's quiver? No: but out of Raleigh's Machiavelian and devilish policy. Yea, but Cobham did retract it; why then did ye urge it? Now then see the most horrible practices that ever came out of the bottomless pit of the lowest hell. After that Raleigh had intelligence that Cobham had accused him, he endeavoured to have intelligence from Cobham, which he had gotten by young sir John Payton: but I think it was the error of his youth.

Raleigh. The lords told it me, or else I had not been sent to the Tower.

Att. Thus Cobham, by the instigation of Raleigh, entered into these actions: So that the question will be, Whether you are not the principal Traitor, and he would nevertheless have entered into it? Why did Cobham retract all that same? First, Because Raleigh was so odious, he thought he should fare the worse for his sake. Secondly, he thought thus with himself, If he be free I shall clear myself the better. After this, Cobham asked for a Preacher to confer with, pretending to have Dr. Andrews; but indeed he meant not to have him, but Mr. Galloway; a worthy and reverend preacher, who can do more with the king (as he said) than any other; that he, seeing his constant denial, might inform the king thereof. Here he plays with the preacher. If Raleigh could persuade the lords, that Cobham had no intent to travel, then he thought all should be well. Here is Forgery! In the Tower Cobham must write to sir Thomas Vane, a worthy man, that he meant not to go into Spain: which Letter Raleigh devised in Cobham's name.

Raleigh. I will wash my hands of the Indictment, and die a true man to the king.

Att. You are the absolutest Traitor that ever was.

Raleigh. Your phrases will not prove it.

Att. Cobham writeth a Letter to my lord Cecil, and doth with Mellis's man to lay it in a Spanish Bible, and to make as though he found it by chance. This was after he had intelligence with this viper, that he was false.

Lord Cecil. You mean a Letter intended to me; I never had it.

Att. No, my lord, you had it not. You, my masters of the jury, respect not the wickedness and hatred of the man, respect his cause: if he be guilty, I know you will have care of it, for the preservation of the king, the continuance of the Gospel authorized, and the good of us all.

Raleigh. I do not hear yet, that you have spoken one word against me; here is no Treason of mine done: If my lord Cobham be a Traitor, what is that to me?

Att. All that he did was by thy instigation, thou Viper; for I *thou** thee, thou Traitor.

Raleigh. It becometh not a man of quality and virtue, to call me so: But I take comfort in it, it is all you can do.

Att. Have I angered you?

Raleigh. I am in no case to be angry.

C. J. Popham. Sir Walter Raleigh, Mr. Attorney speaketh out of the zeal of his duty, for the service of the king, and you for your life; be valiant on both sides.

The Lord COBHAM'S Examination.

"He confesseth, he had a Passport to go into Spain, intending to go to the Archduke, to confer with him about these Practices; and because he knew the Archduke had not Money to pay his own army, from thence he meant to go to Spain, to deal with the king for the 600,000 crowns, and to return by Jersey; and that nothing should be done, until he had spoken with sir Walter Raleigh for distribution of the Money to them which were discontented in England. At the first beginning, he breathed out oaths and exclamations against Raleigh, calling him Villain and Traitor; saying he had never entered into these courses, but by his instigation, and that he would never let him alone."—[Here Mr. Attorney willed the Clerk of the Crown-Office to read over these last words again, 'He would never let him alone.'] "Besides he spake of Plots and Invasions; of the particulars whereof he could give no account, though Raleigh and he had conferred of them. Further he said, he was afraid of Raleigh, that when he should return by Jersey, that he would have delivered him and the Money to the king. Being examined of sir Arthur Gorge, he freed him, saying, They never durst trust him: but sir Arthur Savage they intended to use, because they thought him a fit man".

Raleigh. Let me see the Accusation: This is absolutely all the Evidence can be brought against me; poor shifts! You Gentlemen of the Jury, I pray you understand this. This is that which must either condemn, or give me life; which must free me, or send my wife and children to beg their bread about the streets:

* Shakespear, in all probability, alludes to this, when he makes sir Toby in giving directions to sir Andrew for his challenge to Viola, say, If thou *thou'st* him some thrice, it may not be amiss." See Twelfth Night.

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This is that must prove me a notorious Traitor, or a true subject to the king. Let me see my Accusation, that I may make my Answer.

Clerk of the Council. I did read it, and shew you all the Examinations.

Raleigh. At my first Examination at Windsor, my lords asked me, what I knew of Cobham's practice with Artemberg, I answered negatively: And as concerning Arabella, I protest before God, I never heard one word of it. If that be proved, let me be guilty of ten thousand Treasons. It is a strange thing you will impute that to me, when I never heard so much as the name of Arabella Stuart, but only the name of Arabella.—After being examined, I told my Lords, that I thought my lord Cobham had conference with Artemberg; I suspected his visiting of him: for after he departed from me at Durham-house, I saw him pass by his own stairs, and passed over to St. Mary Savours, where I knew Lawrence, a merchant, and a follower of Artemberg, lay, and therefore likely to go unto him. My lord Cecil asked my opinion concerning Lawrence; I said, that if you do not apprehend Lawrence, it is dangerous, he will fly; if you do apprehend him, you shall give my lord Cobham notice thereof. I was asked who was the greatest man with my lord Cobham; I answered, I knew no man so great with him as young Wyot of Kent.—As soon as Cobham saw my Letter to have discovered his dealing with Artemberg, in his fury he accused me; but before he came to the stair-foot he repented, and said he had done me wrong. When he came to the end of his Accusation, he added, that if he had brought this money to Jersey, he feared that I would have delivered him and the money to the king. Mr. Attorney, you said this never came out of Cobham's quiver; he is a simple man. Is he so simple? No; he hath a disposition of his own, he will not easily be guided by others; but when he has once taken head in a matter, he is not easily drawn from it: he is no babe. But it is strange for me to devise with Cobham, that he should go to Spain, to persuade the king to disburse so much money, he being a man of no love in England, and I having resigned my room of chiefest command, the Wardenship of the Stannaries. Is it not strange for me to make myself Robin Hood, or a Kett, or a Cade? I knowing England to be in better estate to defend itself than ever it was. I knew Scotland united; Ireland quieted, wherein of late our forces were dispersed; Denmark assured, which before was suspected. I knew, that having lost a lady whom time had surprized, we had now an active king, a lawful Successor, who would himself be present in all his affairs. The State of Spain was not unknown to me: I had written a Discourse, which I had intended to present unto the king, against peace with Spain. I knew the Spaniards had six repulses; three in Ireland, and three at sea, and once in 1588, at Cales, by my Lord Admiral. I knew he was discouraged and dishonoured. I knew the king of Spain to be the proudest prince in

Christendom; but now he cometh creeping to the king my master for peace. I knew, whereas before he had in his port six or seven score sail of ships, he hath now but six or seven. I knew of 25,000,000 he had from his Indies, he hath scarce one left. I knew him to be so poor, that the Jesuits in Spain, who were wont to have such large allowance, were fain to beg at the church-door. Was it ever read or heard, that any prince should disburse so much money without a sufficient pawn? I knew her own subjects, the citizens of London, would not lend her majesty money, without lands in mortgage. I knew the Queen did not lend the States money, without Flushing, Brill, and other towns for a pawn. And can it be thought, that he would let Cobham have so great a sum?—I never came to the lord Cobham's, but about matters of his profit; as the ordering of his house, paying of his servants board-wages, &c. I had of his, when I was examined, 4,000*l.* worth of jewels for a purchase; a pearl of 3,000*l.* and a ring worth 500*l.* If he had had a fancy to run away, he would not have left so much to have purchased a lease in fee-farm. I saw him buy 300*l.* worth of Books to send to his Library at Canterbury, and a cabinet of 30*l.* to give to Mr. Attorney, for drawing the conveyances: and God in heaven knoweth, not I, whether he intended to travel or no. But for that practice with Arabella, or letters to Artemberg framed, or any discourse with him, or in what language he spake unto him; if I knew any of these things, I would absolutely confess the indictment, and acknowledge myself worthy ten thousand deaths.

Cobham's second Examination read.

The lord Cobham being required to subscribe to an Examination, there was shewed a Note under sir Walter Raleigh's hand; the which when he had perused, he paused, and after brake forth into those Speeches: Oh Villain! Oh traitor! I will now tell you all the truth; and then said, His purpose was to go into Flanders, and into Spain, for the obtaining the aforesaid Money; and that Raleigh had appointed to meet him in Jersey as he returned home, to be advised of him about the distribution of the Money.

L. C. J. Popham. When Cobham answered to the Interrogatories, he made scruple to subscribe; and being urged to it, he said, if he might hear me affirm, that a person of his degree ought to set his hand, he would: I lying then at Richmond for fear of the Plague, was sent for, and I told he ought to subscribe; otherwise it were a Contempt of a high nature: then he subscribed. The lords questioned with him further, and he shewed them a Letter, as I thought written to me, but it was indeed written to my lord Cecil: he desired to see the Letter again, and then said, 'Oh wretch! Oh traitor!' whereby I perceived you had not performed that trust he had reposed in you.

Raleigh. He is as passionate a man as lives; for he hath not spared the best friends

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he hath in England in his passion. My lords, I take it, he that has been examined, has ever been asked at the time of his Examination, if it be according to his meaning, and then to subscribe. Methinks, my lords, when he accuses a man, he should give some account and reason of it: It is not sufficient to say, we talked of it. If I had been the Plotter, would not I have given Cobham some arguments, whereby to persuade the king of Spain, and answer his objections? I knew Westmoreland and Bothwell, men of other understandings than Cobham, were ready to beg their bread.

Sir Tho. Fowler, one of the Jury. Did sir Walter Raleigh write a Letter to my lord before he was examined concerning him, or not?

Att. Yes.

Lord Cecil. I am in great dispute with myself to speak in the Case of this gentleman: A former dearthness between me and him, tyed so firm a knot of my conceit of his virtues, now broken by a discovery of his imperfections. I protest, did I serve a king that I knew would be displeased with me for speaking, in this case I would speak, whatever came of it; but seeing he is compacted of piety and justice, and one that will not mislike of any man for speaking a truth, I will answer your question.—Sir Walter Raleigh was staid by me at Windsor, upon the first news of Copley, that the king's Person should be surprized by my lord Grey, and Mr. George Brook; when I found Brook was in, I suspected Cobham, then I doubted Raleigh to be a partaker. I speak not this, that it should be thought I had greater judgment than the rest of my lords, in making this haste to have them examined. Raleigh following to Windsor, I met with him upon the Terrace, and willed him, as from the king, to stay: saying, the lords had something to say to him; then he was examined, but not concerning my lord Cobham, but of the surprizing Treason. My lord Grey was apprehended, and likewise Brook; by Brook we found, that he had given notice to Cobham of the surprizing Treason, as he delivered it to us; but with as much sparingness of a brother, as he might. We sent for my lord Cobham to Richmond, where he stood upon his justification, and his quality: sometimes being froward, he said he was not bound to subscribe, wherewith we made the king acquainted. Cobham said, if my L. C. Justice would say it were a Contempt, he would subscribe; whereof being resolved, he subscribed. There was a light given to Artemberg, that Lawrency was examined; but that Raleigh knew that Cobham was examined, is more than I know.

Raleigh. If my lord Cobham had trusted me in the Main, was not I as fit a man to be trusted in the Bye?

Lord Cecil. Raleigh did by his Letters acquaint us that my lord Cobham had sent Lawrency to Artemberg, when he knew not he had any dealings with him.

Lord Hen. Howard. It made for you, if Lawrency had been only acquainted with Col-

ham, and not with you. But you knew his whole estate, and were acquainted with Cobham's practice with Lawrency: and it was known to you before, that Lawrency depended on Artemberg.

Attorney. 1. Raleigh protested against the surprizing Treason. 2. That he knew not of the matter touching Arabella. I would not charge you, sir Walter, with a matter of falsehood: you say you suspected the Intelligence that Cobham had with Artemberg by Lawrency.

Raleigh. I thought it had been no other Intelligence, but such as might be warranted.

Attorney. Then it was but lawful suspicion. But to that whereas you said, that Cobham had accused you in passion, I answer three ways: 1. I observed when Cobham said, Let me see the Letter again, he paused; and when he did see that count Artemberg was touched, he cried out, Oh Traitor! Oh Villain! now will I confess the whole truth. 2. The accusation of a man on hearsay, is nothing; would he accuse himself on passion, and ruinate his case and posterity, out of malice to accuse you? 3. Could this be out of passion? Mark the manner of it; Cobham had told this at least two months before to his brother Brook, 'You are fools, you are on the bye, Raleigh and I are on the main; we mean to take away the king and his cubs:' this he delivered two months before. So mark the manner and the matter; he would not turn the weapon against his own bosom, and accuse himself to accuse you.

Raleigh. Hath Cobham confessed that?

L. C. J. This is spoken by Mr. Attorney to prove that Cobham's speech came not out of passion.

Raleigh. Let it be proved that Cobham said so.

Attorney. Cobham saith, he was a long time doubtful of Raleigh, that he would send him and the money to the king. Did Cobham fear lest you would betray him in Jersey? Then of necessity there must be Trust between you. No man can betray a man, but he that is trusted, in my understanding. This is the greatest argument to prove that he was acquainted with Cobham's Proceedings. Raleigh has a deeper reach, than to make himself, as he said, 'Robin Hood, a Kett, or Cade;' yet I never heard that Robin Hood was a Traitor; they say he was an outlaw. And whereas he saith that our king is not only more wealthy and potent than his predecessors, but also more politic and wise, so that he could have no hope to prevail; I answer, There is no king so potent, wise and active, but he may be overtaken through Treason. Whereas you say Spain is so poor, discoursing so largely thereof; it had been better for you to have kept in Guiana, than to have been so well acquainted with the state of Spain. Besides, if you could have brought Spain and Scotland to have joined, you might have hoped to prevail a great deal the better. For his six Overthrows, I answer, he hath the more malice, because repulses breed

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desire of revenge. Then you say you never talked with Cobham, but about leases, and letting lands, and ordering his house; I never knew you Clerk of the Kitchen, &c. If you had fallen on your knees at first, and confessed the Treason, it had been better for you. You say, He meant to have given me a Cabinet of 30l.; perhaps he thought by those means to have anticipated me therewith. But you say all these are Circumstances. I answer, all this Accusation in Circumstance is true. Here now I might appeal to my lords, that you take hold of this, that he subscribed not to the Accusation.

Lord Hen. Howard. Cobham was not then pressed to subscribe.

Attorney. His Accusation being testified by the lords, is of as great force, as if he had subscribed. Raleigh saith again, If the Accuser be alive he must be brought face to face to speak; and alledges 25 Edw. 3rd that there must be two sufficient Witnesses, that must be brought face to face before the accused; and alledgeth 10 and 13 Elizabeth.

Raleigh. You try me by the Spanish Inquisition, if you proceed only by the Circumstances, without two Witnesses.

Attorney. This is a treasonable speech.

Raleigh. *Exercere Hominem jstum in causa sua injustum est.* Good my lords, let it be proved, either by the laws of the land, or the laws of God, that there ought not to be two Witnesses appointed; yet I will not stand to defend this point in law, if the king will have it so: it is no rare thing for a man to be falsely accused. A Judge condemned a woman in Sarum for killing her husband on the testimony of one Witness; afterwards his man confessed the Murder, when she was executed; who after being touched in conscience for the Judgment, was used to say, *Quod nunquam de hoc facto animam in vita sua purgaret.* It is also commanded by the Scripture; *Allocutus est Jehova Moysen, in Ore duorum aut trium Testium, &c.* If Christ requireth it, as it appeareth, Mat. xviii. if by the Canon, Civil Law, and God's Word, it be required, that there must be two Witnesses at the least; bear with me if I desire one. I would not desire to live, if I were privy to Cobham's Proceedings. I have been a slave, a villain, a fool, if I had endeavoured to set up Arabella, and refused so gracious a lord and sovereign. But urge your proofs.

L. C. Justice. You have offered Questions on diverse Statutes, all which mention two accusers in case of Indictments: you have deceived yourself, for the laws of 25 Edw. 3d, and 5 Edw. 6th are repealed. It sufficeth now if there be Proofs made either under hand, or by testimony of Witnesses, or by oaths; it needs not the Subscription of the party, so there be hands of credible men to testify the Examination.

Raleigh. It may be an error in me; and if those laws be repealed, yet I hope the equity of them remains still; but if you affirm it, it must be a law to posterity. The Proof of the

Common Law is by witness and jury: let Cobham be here, let him speak it. Call my accuser before my face, and I have done.

Attorney. *Scientia sceleris est mera ignorantia.* You have read the letter of the law, but understand it not. Here was your anchorhold, and your rendezvous: you trust to Cobham, either Cobham must accuse you, or nobody; if he did, then it would not hurt you, because he is but one Witness; if he did not, then you are safe.

Raleigh. If ever I read a word of the law or statutes before I was Prisoner in the Tower, God confound me.

Attorney. Now I come to prove the Circumstances of the Accusation to be true. Cobham confessed he had a Pass-port to travel, hereby intending to present overtures to the Arch-Duke, and from thence to go to Spain, and there to have conference with the king for Money. You say he promised to come home by Jersey, to make merry with you and your wife.

Raleigh. I said in his return from France, not Spain.

Attorney. Further in his Examination he saith, nothing could be set down for the Distribution of the Money to the discontented, without conference with Raleigh. You said it should have been for procurement of Peace, but it was for raising Rebellion. Further, Cobham saith, he would never have entered into these courses, but by your instigation, and that you would never let him alone. Your scholar was not apt enough to tell us all the Plots; that is enough for you to do, that are his master. You intended to trust sir Arthur Savage, whom I take to be an honest and true gentleman, but not sir Arthur Gorge.

Raleigh. All this is but one Accusation of Cobham's. I hear no other thing; to which Accusation he never subscribed nor avouched it. I beseech you, my lords, let Cobham be sent for, charge him on his soul, on his allegiance to the king; if he affirm it, I am guilty.

Lord Cecil. It is the Accusation of my lord Cobham, it is the Evidence against you: must it not be of force without his subscription? I desire to be resolved by the Judges, whether by the law it is not a forcible argument of evidence.

Judges. My lord, it is.

Raleigh. The king at his coronation is sworn *In omnibus Judiciis suis equitatem, non rigorem Legis, observare.* By the rigour and cruelty of the law it may be a forcible evidence.

L. C. J. That is not the rigour of the law, but the justice of the law; else when a man hath made a plain Accusation, by practice he might be brought to retract it again.

Raleigh. Oh my lord, you may use equity.

L. C. J. That is from the king; you are to have justice from us.

Lord Anderson. The law is, if the matter be proved to the jury, they must find you guilty; for Cobham's Accusation is not only against you, there are other things sufficient.

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STATE TRIALS, 1 JAMES I. 1603.—for High Treason.

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Lord Cecil. Now that sir Walter Raleigh is satisfied, that Cobham's Subscription is not necessary, I pray you, Mr. Attorney, go on.

Raleigh. Good Mr. Attorney, be patient, and give me leave.

Lord Cecil. An unnecessary patience is a hindrance; let him go on with his proof, and then refel them.

Raleigh. I would answer particularly.

Lord Cecil. If you would have a table and pen and ink, you shall.

Then paper and ink was given him. Here the Clerk of the Crown read the Letter, which the lord Cobham did write in July, which was to the effect of his former Examination; further saying, I have disclosed all: to accuse any one falsely, were to burden my own conscience.

Attorney. Read Copley's Confession the 8th of June; He saith, He was offered 1000 crowns to be in this action.

Here Watson's Additions were read. 'The great mass of Money from the count was impossible,' &c.

Brook's Confession read. 'There have Letters passed, saith he, between Cobham and Aremburg, for a great sum of Money to assist a second action, for the surprizing of his majesty.'

Attorney. It is not possible it was of passion: for it was in talk before three men, being severally examined, who agreed in the sum to be bestowed on discontented persons; That Grey should have 12,000 crowns, and Raleigh should have 8000, or 10,000 crowns.

Cobham's Examination, July 18.

If the money might be procured (saith he) then a man may give pensions. Being asked if a pension should not be given to his brother Brook, he denied it not.

Lawrency's Examination.

Within five days after Aremburg arrived, Cobham resorted unto him. That night that Cobham went to Aremburg with Lawrency, Raleigh rapped with him.

Attorney. Raleigh must have his part of the Money, therefore now he is a traitor. The crown shall never stand one year on the head of the king (my master) if a Traitor may not be condemned by Circumstances: for if A. tells B. and B. tells C. and C. D. &c. you shall never prove Treason by two Witnesses.

Raleigh's Examination was read.

He confesseth Cobham offered him 8000 crowns, which he was to have for the furtherance of the Peace between England and Spain, and that he should have it within three days. To which he said, he gave this answer; When I see the Money, I will tell you more: for I had thought it had been one of his ordinary idle conceits, and therefore made no Account thereof.

Raleigh. The Attorney hath made a long narration of Copley, and the Priests, which concerns me nothing, neither know I how Cobham was altered. For he told me if I would agree to further the Peace, he would get me 8000 crowns. I asked him, Who shall have

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the rest of the money? He said I will offer such a nobleman (who was not named) some of the Money. I said, he will not be persuaded by you, and he will extremely hate you for such a motion. Let me be pinched to death with hot irons, if ever I knew there was any intention to bestow the money on discontented persons. I had made a discourse against the Peace, and would have printed it; if Cobham changed his mind, if the Priests, if Brook had any such intent, what is that to me? They must answer for it. He offered me the Money before Aremburg came, that is difference of time.

Serj. Philips. Raleigh confesseth the matter, but avoideth it by distinguishing of times. You said it was offered you before the coming of Aremburg, which is false. For you being examined whether you should have such Money of Cobham, or not; you said, Yea, and that you should have it within two or three days. *Nem moriturus præsuntur mentiri.*

Ld. Hen. Howard. Alledge me any ground or cause, wherefore you gave ear to my lord Cobham for receiving Pensions, in matters you had not to deal with.

Raleigh. Could I stop my Lord Cobham's mouth?

Ld. Cecil. Sir Walter Raleigh presseth, that my lord Cobham should be brought face to face. If he asks things of favour and grace, they must come only from him that can give them. If we sit here as commissioners, how shall we be satisfied whether he ought to be brought, unless we hear the Judges speak?

L. C. J. This thing cannot be granted, for then a number of Treasons should flourish: the Accuser may be drawn by practise, whilst he is in person.

Justice Gawdy. The Statute you speak of concerning two Witnesses in case of Treason, is found to be inconvenient, therefore by another law it was taken away.

Raleigh. The common Trial of England is by Jury and Witnesses.

L. C. J. No: by Examination: if three conspire a Treason, and they all confess it; here is never a Witness, yet they are condemned.

Justice Warburton. I marvel, sir Walter, that you being of such experience and wit, should stand on this point; for so many horse-stealers may escape, if they may not be condemned without witnesses. If one should rush into the king's Privy-Chamber, whilst he is alone, and kill the king (which God forbid) and this man be met coming with his sword drawn all bloody; shall not he be condemned to death? My lord Cobham hath, perhaps, been laboured withal; and to save you, his old friend, it may be that he will deny all that which he hath said.

Raleigh. I know not how you conceive the Law.

L. C. J. Nay, we do not conceive the Law, but we know the Law.

Raleigh. The wisdom of the Law of God is absolute and perfect *Hæc fac et ritæ, &c.* But

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now by the Wisdom of the State, the Wisdom of the Law is uncertain. Indeed, where the Accuser is not to be had conveniently, I agree with you; but here my Accuser may; he is alive, and in the house. Susanna had been condemned, if Daniel had not cried out, 'Will you condemn an innocent Israelite, without examination or knowledge of the truth?' Remember, it is absolutely the Commandment of God: If a false witness rise up, you shall cause him to be brought before the Judges; if he be found false, he shall have the punishment which the accused should have had. It is very sure, for my lord to accuse me is my certain danger, and it may be a means to excuse himself.

L. C. J. There must not such a gap be opened for the destruction of the king, as would be if we should grant this. You plead hard for yourself, but the laws plead as hard for the king. I did never hear that course to be taken in a case of Treason, as to write one to another, or speak one to another, during the time of their imprisonment. There hath been intelligence between you; and what under-hand practices there may be, I know not. If the circumstances agree not with the Evidence, we will not condemn you.

Raleigh. The king desires nothing but the knowledge of the truth, and would have no advantage taken by severity of the law. If ever we had a gracious king, now we have; I hope, as he is, such are his ministers. If there be but a trial of five marks at Common Law, a witness must be deposed. Good my lords, let my Accuser come face to face, and be deposed.

L. C. J. You have no law for it: God forbid any man should accuse himself upon his oath!

Attorney. The law presumes, a man will not accuse himself to accuse another. You are an odious man; for Cobham thinks his cause the worse that you are in it. Now you shall hear of some stir to be raised in Scotland.

Part of Copley's Examination.

"Also Watson told me, that a special person told him, that Aremberg offered to him 1000 crowns to be in that action; and that Brook said, the stir in Scotland came out of Raleigh's head."

Raleigh. Brook hath been taught his Lesson.

Ld. Hen. Howard. This Examination was taken before. Did I teach him his lesson?

Raleigh. I protest before God, I meant it not by any privy-counsellor; but because money is scant, he will juggle on both sides.

Raleigh's Examination.

"The way to invade England, were to begin with Stir in Scotland."

Raleigh. I think so still: I have spoken it to divers of the Lords of the Council, by way of discourse and opinion.

Attorney. Now let us come to those words 'of destroying the king and his cubs.'

Raleigh. O barbarous! If they, like unnatural villains, should use those words, shall I

be charged with them? I will not hear it; I was never any Plotter with them against my country, I was never false to the crown of England. I have spent 4000 pounds of my own against the Spanish Faction, for the good of my country. Do you bring the words of these hellish spiders, Clark, Watson, and others, against me?

Attorney. Thou hast a Spanish heart, and thyself art a Spider of Hell; for thou confessest the king to be a most sweet and gracious prince, and yet hast conspired against him.

Watson's Examination read.

"He said, that George Brook told him twice, That his brother, the lord Cobham, said to him, that you are but on the bye, but Raleigh and I are on the main."

Brook's Examination read.

"Being asked what was meant by this Jargon, the Bye and the Main? he said, That the lord Cobham told him, that Grey and others were in the Bye, he and Raleigh were on the Main. Being asked, what exposition his brother made of these words? He said, he is loath to repeat it. And after saith, by the main was meant the taking away of the king and his issue; and thinks on his conscience, it was infused into his brother's head by Raleigh."

Cobham's Examination read.

"Being asked, if ever he had said, 'It will never be well in England, till the king and his cubs were taken away;' he said, he had answered before, and that he would answer no more to that point."

Raleigh. I am not named in all this: there is a law of two sorts of Accusers; one of his own knowledge, another by hear-say.

E. of Suffolk. See the Case of Arnold.

L. C. J. It is the Case of sir Will. Thomas, and sir Nicholas Arnold.

Raleigh. If this may be, you will have any man's life in a week.

Attorney. Raleigh saith, that Cobham was in a passion when he said so. Would he tell his brother any thing of malice against Raleigh, whom he loved as his life?

Raleigh. Brook never loved me; until his brother had accused me, he said nothing.

Ld. Cecil. We have heard nothing that might lead us to think that Brook accused you, he was only in the surprizing Treason: for by accusing you he should accuse his brother.

Raleigh. He doth not much care for that.

Ld. Cecil. I must judge the best. The accusation of his brother was not voluntary; he pared every thing as much as he could to save his brother.

Cobham's Examination read.

"He saith he had a Book written against the Title of the King, which he had of Raleigh, and that he gave it to his brother Brook: and Raleigh said it was foolishly written."

Attorney. After the king came within 12 miles of London, Cobham never came to see him; and intended to travel without seeing the

queen and the prince. Now in this discontentment you gave him the Book, and he gave it his brother.

Raleigh. I never gave it him, he took it off my table. For I well remember a little before that time I received a Challenge from sir Amias Preston, and for that I did intend to answer it, I resolved to leave my estate settled, therefore laid out all my loose Papers, amongst which was this Book.

Ld. Howard. Where had you this Book?

Raleigh. In the old Lord Treasurer's Study, after his death.

Ld. Cecil. Did you ever shew or make known the Book to me?

Raleigh. No, my Lord.

Ld. Cecil. Was it one of the books which was left to me or my brother?

Raleigh. I took it out of the study in my Lord Treasurer's house in the Strand.

Ld. Cecil. After my father's decease, sir Walter Raleigh desired to search for some Cosmographical descriptions of the Indies, which he thought were in his Study, and were not to be had in print; which I granted, and would have trusted sir Walter Raleigh as soon as any man: though since for some infirmities, the bands of my affection to him have been broken; and yet reserving my duty to the king my master, which I can by no means dispense with, by God, I love him, and have a great conflict within myself: but I must needs say, sir Walter used me a little unkindly to take the Book away without my knowledge: nevertheless, I need make no apology in behalf of my father, considering how useful and necessary it is for privy-counsellors and those in his place to intercept and keep such kind of writings; for whosoever should then search his study may in all likelihood find all the notorious Libels that were writ against the late queen; and whosoever should rummage my Study, or at least my Cabinet, may find several against the king, our Sovereign Lord, since his accession to the throne.

Raleigh. The Book was in Manuscript, and the late Lord Treasurer had wrote in the beginning of it with his own Hand, these words, 'This is the Book of Robert Smagg.' And I do own, as my lord Cecil has said, that I believe they may also find in my house almost all the Libels that have been writ against the late queen.

Att. You were no privy-counsellor, and I hope never shall be.

Ld. Cecil. He was not a sworn counsellor of state, but he has been called to consultations.

Raleigh. I think it a very severe interpretation of the law, to bring me within compass of Treason for this Book, writ so long ago, of which nobody had read any more than the Heads of the Chapters, and which was burnt by G. Brook without my privity; admitting I had delivered the same to the lord Cobham, without allowing or approving, but discommending it, according to Cobham's first Accusation:

and put the case, I should come to my lord Cecil, as I have often done, and find a stranger with him, with a packet of Libels, and my lord should let me have one or two of them to peruse: this I hope is no Treason.

Att. I observe there was intelligence between you and Cobham in the Tower; for after he said it was against the king's Title, he denied it again.

Sir W. Wade. First, my lord Cobham confesseth it, and after he had subscribed it, he revoked it again: to me he always said, that the drift of it was against the king's Title.

Raleigh. I protest before God, and all his works, I gave him not the Book.

Note. Sir Robert Wroth speaketh, or whispereth something secretly.

Att. My lords, I must complain of sir Robert Wroth; he says this Evidence is not material.

Sir R. Wroth. I never spake the words.

Att. Let Mr. serjeant Philips testify whether he heard him say the words or no.

Ld. Cecil. I will give my word for sir R. Wroth.

Sir R. Wroth. I will speak as truly as you, Mr. Attorney, for by God, I never spake it.

L. C. J. Wherefore should this Book be burnt?

Raleigh. I burned it not.

Serj. Philips. You presented your friend with it when he was discontented. If it had been before the queen's death, it had been a less matter; but you gave it him presently when he came from the king, which was the time of his discontentment.

Raleigh. Here is a Book supposed to be treasonable; I never read it, commended it, or delivered it, nor urged it.

Attorney. Why, this is cunning.

Raleigh. Every thing that doth make for me is cunning, and every thing that maketh against me is probable.

Att. Lord Cobham saith, that Kemish came to him with a letter torn, and did wish him not to be dismayed, for one witness could not hurt him.

Raleigh. This poor man hath been close prisoner these 13 weeks; he was offered the rack to make him confess. I never sent any such message by him; I only writ to him, to tell him what I had done with Mr. Attorney; having of his at that time a great pearl and a diamond.

Ld. H. Howard. No circumstance moveth me more than this. Kemish was never on the rack, the king gave charge that no rigour should be used.

Commissioners. We protest before God, there was no such matter intended to our knowledge.

Raleigh. Was not the Keeper of the Rack sent for, and he threatened with it?

Sir W. Wade. When Mr. Solicitor and myself examined Kemish, we told him he deserved the Rack, but did not threaten him with it.

Commissioners. It was more than we knew.

Cobham's Examination read.

He saith, Kemish brought him a Letter from Raleigh, and that part which was concerning the Lords of the Council was rent out; the Letter contained that he was examined, and cleared himself of all; and that the lord H. Howard said, because he was discontent, he was fit to be in the action. And further, that Kemish said to him from Raleigh, that he should be of good comfort, for one witness could not condemn a man for treason.

Ld. Cecil. Cobham was asked, whether, and when he heard from you? He said, every day.

Raleigh. Kemish added more, I never bade him speak those words.

Note. Mr. Attorney here offered to interrupt him.

Ld. Cecil. It is his last Discourse; give him leave, Mr. Attorney.

Raleigh. I am accused concerning Arabella, concerning Money out of Spain. My L. C. Justice saith, a man may be condemned with one Witness, yea, without any Witness. Cobham is guilty of many things, *Conscientia mille testes*; he hath accused himself, what can be hope for but mercy? My Lords, vouchsafe me this grace: let him be brought, being alive, and in the house; let him avouch any of these things, I will confess the whole Indictment, and renounce the king's mercy.

Ld. Cecil. Here hath been a touch of the lady Arabella Stuart, a near kipswoman of the king's. Let us not scandal the innocent by confusion of speech: she is as innocent of all these things as I, or any man here; only she received a Letter from my lord Cobham, to prepare her; which she laughed at, and immediately sent it to the King. So far was she from discontentment, that she laughed him to scorn. But you see how far the count of Aremberg did consent

The Lord Admiral (Nottingham) being by in a Standing, with the lady Arabella, spake to the court: The lady doth here protest upon her salvation, that she never dealt in any of these things; and so she willed me to tell the court.

Ld. Cecil. The lord Cobham wrote to my lady Arabella, to know if he might come to speak with her, and gave her to understand, that there were some about the king that laboured to disgrace her; she doubted it was but a trick. But Brook saith, his brother moved him to procure Arabella to write Letters to the king of Spain; but he saith, he never did it.

Raleigh. The lord Cobham hath accused me, you see in what manner he hath forsworn it. Were it not for his Accusation, all this were nothing. Let him be asked, if I knew of the letter which Lawrence brought to him from Aremberg. Let me speak for my life, it can be no hurt for him to be brought; he dares not accuse me. If you grant me not this favour, I am strangely used; Campian* was not denied to have his accusers face to face.

* See No. 53.

L. C. J. Since he must needs have justice, the acquitting of his old friend may move him to speak otherwise than the truth.

Raleigh. If I had been the infuser of all these Treasons into him: You Gentlemen of the Jury, mark this, I said I have been the cause of all his misery, and the destruction of his house, and that an evil hath happened unto him by my wicked counsel: if this be true, whom hath he cause to accuse and to be revenged on, but on me? And I know him to be as revengeful as any man on earth.

Attorney. He is a party, and may not come; the law is against it.

Raleigh. It is a toy to tell me of law; I defy such law, I stand on the fact.

Ld. Cecil. I am afraid my often speaking (who am inferior to my lords here present) will make the world think I delight to hear myself talk. My affection to you, sir Walter, was not extinguished, but slaked, in regard of your deserts. You know the law of the realm (to which your mind doth not contest), that my lord Cobham cannot be brought.

Raleigh. He may be, my lord.

Ld. Cecil. But dare you challenge it?

Raleigh. No.

Lord Cecil. You say that my lord Cobham, your main accuser, must come to accuse you. You say he hath retracted: I say, many particulars are not retracted. What the validity of all this is, is merely left to the Jury. Let me ask you this, If my lord Cobham will say you were the only instigator of him to proceed in the Treasons, dare you put yourself on this?

Raleigh. If he will speak it before God and the king, that ever I knew of Arabella's matter, or the Money out of Spain, or of the surprising Treason; I put myself on it, God's will and the king's be done with me.

Lord H. Howard. How! if he speak things equivalent to that you have said?

Raleigh. Yes, in the main point.

Lord Cecil. If he say, you have been the instigator of him to deal with the Spanish king, had not the council cause to draw you hither?

Raleigh. I put myself on it.

Lord Cecil. Then, sir Walter, call upon God, and prepare yourself; for I do verily believe my lords will prove this. Excepting your faults (I call them no worse), by God, I am your friend. The heat and passion in you, and the Attorney's zeal in the king's service, makes me speak this.

Raleigh. Whosoever is the workman, it is reason he should give an account of his work to the work-master. But let it be proved that he acquainted me with any of his conferences with Aremberg: he would surely have given me some account.

Lord Cecil. That follows not: If I set you on work, and you give me no account, am I therefore innocent?

Att. For the lady Arabella, I said she was never acquainted with the matter. Now that Raleigh had conference in all these Treasons, it is manifest. The Jury hath heard the matter.

There is one Dyer a pilot, that being in Lisbon, met with a Portugal gentleman who asked him if the king of England was crowned yet: To whom he answered, 'I think not yet, but he shall be shortly.' Nay, saith the Portugal, that shall never be, for his throat will be cut by Don Raleigh and Don Cobham before he be crowned.

DYER was called and sworn, and delivered this Evidence.

Dyer. I came to a merchant's house in Lisbon, to see a boy that I had there; there came a gentleman into the house, and enquiring what countryman I was, I said, an Englishman. Whereupon he asked me, if the king was crowned? And I answered, No, but that I hoped he should be so shortly. Nay, saith he, he shall never be crowned; for Don Raleigh and Don Cobham will cut his throat ere that day come.

Raleigh. What infer you upon this?

Att. That your Treason hath wings.

Raleigh. If Cobham did practise with Aremberg, how could it not but be known in Spain? Why did they name the duke of Buckingham with Jack Straw's Treason, and the duke of York with Jack Cade, but that it was to countenance his Treason? Consider, you Gentlemen of the Jury, there is no cause so doubtful which the king's counsel cannot make good against the law. Consider my disability, and their ability: they prove nothing against me, only they bring the Accusation of my lord Cobham, which he hath lamented and repented as heartily, as if it had been for an horrible murder: for he knew that all this sorrow which should come to me, is by his means. Presumptions must proceed from precedent or subsequent facts. I have spent 10,000 crowns against the Spaniard. I had not purchased 40 pound a year. If I had died in Guiana, I had not left 300 marks a year to my wife and son. I that have always condemned the Spanish Faction, methinks it is a strange thing that now I should affect it! Remember what St. Austin says, *Sic judicate tanquam ab alio mor judicandi; unus judex, unum Tribunal.* If you would be contented on presumptions to be delivered up to be slaughtered, to have your wives and children turned into the streets to beg their bread; if you would be contented to be so judged, judge so of me.

Serj. Philips. I hope to make this so clear, as that the wit of man shall have no colour to answer it. The matter is Treason in the highest degree, the end to deprive the king of his crown. The particular Treasons are these: first, to raise up Rebellion, and to effect that, to procure Money; to raise up Tumults in Scotland, by divulging a treasonable Book against the king's right to the crown; the purpose, to take away the life of his majesty and his issue. My lord Cobham confesseth sir Walter to be guilty of all these Treasons. The question is, whether he be guilty as joining with him, or instigating of him? The course to prove this, was by my lord Cobham's Accusation. If that be

true, he is guilty; if not, he is clear. So whether Cobham say true, or Raleigh, that is the question. Raleigh hath no answer but the shadow of as much wit, as the wit of man can devise. He useth his bare denial; the denial of a Defendant must not move the Jury. In the Star Chamber, or in the Chancery, for matter of Title, if the Defendant be called in question, his denial on his oath is no Evidence to the Court to clear him, he doth it in *propria causa*; therefore much less in matters of Treason. Cobham's testification against him before them, and since, hath been largely discoursed.

Raleigh. If truth be constant, and constancy be in truth, why hath he forsworn that that he hath said? You have not proved any one thing against me by direct Proofs, but all by circumstances.

Att. Have you done? The king must have the last.

Raleigh. Nay, Mr. Attorney, he which speaketh for his life, must speak last. False repetitions and mistakings must not mar my cause. You should speak *secundum allegata et probata*. I appeal to God and the king in this point, whether Cobham's Accusation be sufficient to condemn me.

Att. The king's safety and your clearing cannot agree. I protest before God, I never knew a clearer Treason.

Raleigh. I never had intelligence with Cobham since I came to the Tower.

Att. Go to, I will lay thee upon thy back, for the confidentest Traitor that ever came at a bar. Why should you take 8,000 crowns for a peace?

Lord Cecil. Be not so impatient, good Mr. Attorney, give him leave to speak.

Att. If I may not be patiently heard, you will encourage Traitors, and discourage us. I am the king's sworn servant, and must speak; If he be guilty, he is a Traitor; if not, deliver him.

Note, Here Mr. Attorney sat down in a chafe, and would speak no more, until the Commissioners urged and intreated him. After much ado, he went on, and made a long repetition of all the Evidence, for the direction of the Jury; and at the repeating of some things, sir Walter Raleigh interrupted him, and said, he did him wrong.

Att. Thou art the most vile and execrable Traitor that ever lived.

Raleigh. You speak indiscreetly, barbarously and uncivilly.

Att. I want words sufficient to express thy viperous Treasons.

Raleigh. I think you want words indeed, for you have spoken one thing half a dozen times.

Att. Thou art an odious fellow, thy name is hateful to all the realm of England for thy pride.

Raleigh. It will go near to prove a measuring cast between you and me, Mr. Attorney.

Att. Well, I will now make it appear to the world, that there never lived a viler viper

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upon the face of the earth than thou. And therewithal he drew a Letter out of his pocket, saying further, My lords, you shall see, this is an Agent that hath writ a Treatise against the Spaniard, and hath ever so detested him; this is he that hath spent so much Money against him in service; and yet you shall all see whether his heart be not wholly Spanish. The lord Cobham, who of his own nature was a good and honourable gentleman, till overtaken by this wretch, now finding his conscience heavily burdened with some courses which the subtilty of this Traitor had drawn him into; my lords, he could be at no rest with himself, nor quiet in his thoughts, until he was eased of that heavy weight: out of which passion of his mind, and discharge of his duty to his prince, and his conscience to God, taking it upon his salvation that he wrote nothing but the truth, with his own hands he wrote this Letter. Now, sir, you shall see whether you had intelligence with Cobham, within four days before he came to the Tower. If he be wholly Spanish, that desired a Pension of 1500*l.* a year from Spain, that Spain by him might have intelligence, then Raleigh is a Traitor: He hath taken an apple, and pinned a Letter unto it, and threw it into my lord Cobham's window; the contents whereof were this, 'It is doubtful whether we shall be proceeded with or no, perhaps you shall not be tried.' This was to get a retractation. Oh! it was Adam's apple, whereby the devil did deceive him. Further, he wrote thus, 'Do not as my lord of Essex did; take heed of a Preacher; for by his persuasion he confessed, and made himself guilty.' I doubt not but this day God shall have as great a conquest by this Traitor, and the Son of God shall be as much glorified, as when it was said, *Vicisti, Galilæe*; you know my meaning. What though Cobham retracted, yet he could not rest nor sleep till he confirmed it again. If this be not enough to prove him a Traitor, the king my master shall not live three years to an end.

Nota, Here Mr. Attorney produced the lord Cobham's Letter, and as he read it, inserted some speeches.

'I have thought fit to set down this to my lords, wherein I protest on my soul to write nothing but the truth. I am now come near the period of my time, therefore I confess the whole truth before God and his angels. Raleigh, four days before I came from the Tower, caused an apple (Eve's apple) to be thrown in at my chamber window; the effect of it was, to intreat me to right the wrong that I had done him, in saying, 'that I should have come home by Jersey;' which under my hand to him I have retracted. His first Letter I answered not, which was thrown in the same manner; wherein he prayed me to write him a Letter, which I did. He sent me word, that the Judges met at Mr. Attorney's house, and that there was good hope the proceedings against us should be stayed:

'he sent me another time a little tobacco. At Aremburg's coming, Raleigh was to have procured a pension of 1500*l.* a year, for which he promised, that no action should be against Spain, the Low Countries, or the Indies, but he would give knowledge beforehand. He told me, the States had audience with the king.—(Attorney, 'Ah! is not this a Spanish heart in an English body?') 'He hath been the original cause of my ruin; for I had no dealing with Aremburg, but by his instigation. He hath also been the cause of my discontentment; he advised me, not to be overtaken with preachers, as Essex was; and that the king would better allow of a constant denial, than to accuse any.'

Att. Oh, damnable atheist! He hath learned some Text of Scripture to serve his own purpose, but falsely alledged. He counsels him not to be counselled by preachers, as Essex was: He died the child of God, God honoured him at his death; thou wast by when he died*: *Et lupus et turpis instant morientibus Ursa*. He died indeed for his offence. The king himself spake these words; 'He that shall say, Essex died not for Treason, is punishable.'

Raleigh. You have heard a strange tale of a strange man. Now he thinks, he hath matter enough to destroy me; but the king and all of you shall witness, by our deaths, which of us was the ruin of the other. I bid a poor fellow throw in the Letter at his window, written to this purpose; 'You know you have undone me, now write three lines to justify me.' In this I will die, that he hath done me wrong: Why did not he acquaint him with my dispositions?

L. C. J. But what say you now of the Letter, and the Pension of 1500*l.* per annum?

Raleigh. I say, that Cobham is a base, dishonourable, poor soul.

Att. Is he base? I return it into thy throat on his behalf: But for thee he had been a good subject.

L. C. J. I perceive you are not so clear a man, as you have protested all this while; for you should have discovered these matters to the king.

Nota, Here Raleigh pulled a Letter out of his pocket, which the lord Cobham had written to him, and desired my lord Cecil to read it, because he only knew his hand; the effect of it was as follows:

Cobham's Letter of Justification to Raleigh.

'Seeing myself so near my end, for the discharge of my own conscience, and freeing myself from your blood, which else will cry vengeance against me; I protest upon my salvation I never practised with Spain by your procurement; God so comfort me in this my affliction, as you are a true subject, for any thing that I know. I will say as Daniel, *Purus sum à sanguine hujus*. So

* See vol. 1. p. 1359.

' God have mercy upon my soul, as I know no
' Treason by you.'

Raleigh. Now I wonder how many souls
this man hath! He damns one in this Letter,
and another in that.

[Here was much ado: Mr. Attorney alledg-
ed, that his last Letter was politicly and cun-
ningly urged from the lord Cobham, and that
the first was simply the truth; and that lest it
should seem doubtful that the first Letter was
drawn from my lord Cobham by promise of
mercy, or hope of favour, the Ld. C. J. willed
that the Jury might herein be satisfied.
Whereupon the earl of Devonshire delivered,
that the same was mere voluntary, and not ex-
tracted from the lord Cobham upon any hopes
or promise of Pardon.]

This was the last Evidence*: whereupon a
marshal was sworn to keep the Jury private.
The Jury departed, and staid not a quarter of
an hour, but returned, and gave their verdict,
Guilty.

Serj. Heale demanded Judgment against
the Prisoner.

Clerk of the Crown. Sir Walter Raleigh,
Thou hast been indicted, arraigned, and plead-
ed Not Guilty, for all these several Treasons;
and for Trial thereof, hast put thyself upon thy
country; which country are these, who have
found thee Guilty. What canst thou say for
thyself, why Judgment and Execution of Death
should not pass against thee?

Raleigh. My lords, the Jury have found
me Guilty: they must do as they are directed.
I can say nothing why Judgment should not
proceed. You see whereof Cobham hath ac-
cused me: you remember his Protestations,
that I was never Guilty. I desire the king
should know of the wrongs done unto me
since I came hither.

L. C. J. You have had no wrong, sir Wal-
ter.

Raleigh. Yes, of Mr. Attorney. I desire
my lords to remember three things to the
king. 1. I was accused to be a practiser with
Spain: I never knew that my lord Cobham
meant to go thither; I will ask no mercy at
the king's hands, if he will affirm it. 2. I never
knew of the practice with Arabella. 3. I never
knew of my lord Cobham's practice with Aren-
berg, nor of the surprizing Treason.

L. C. J. In my conscience, I am persuaded
that Cobham hath accused you truly. You
cannot deny, but that you were dealt with to
have a Pension to be a spy for Spain; there-
fore you are not so true to the king as you
have protested yourself to be.

Raleigh. I submit myself to the king's

* Kennett says that "Upon the trial, sir
Walter Raleigh denying the fact, pleaded, That
though it were proved, it could not amount to
Treason against king James, being done in the
reign of the late queen: and no acts of parlia-
ment made to entail the crown upon him after
her death."

mercy; I know his mercy is greater than my
offence. I recommend my wife, and son of
tender years, unbrought up, to his compassion.

L. C. J. I thought I should never have
seen this day, to have stood in this place to
give Sentence of Death against you; because
I thought it impossible, that one of so great
parts should have fallen so grievously. God
hath bestowed on you many benefits. You
had been a man fit and able to have served
the king in good place. You had brought
yourself into a good state of living; if you had
entered into a good consideration of your
estate, and not suffered your own wit to have
intrapped yourself, you might have lived in
good comfort. It is best for man not to seek
to climb too high, lest he fall: nor yet to creep
too low, lest he be trodden on. It was the
Poesy of the wisest and greatest Counsellor of
our time in England, *In medio spatio medio-
cria firma locantur.* You might have lived
well with 3000*l.* a year, for so I have heard
your Revenues to be. I know nothing might
move you to be discontented: but if you had
been down, you know fortune's wheel, when it
is turned about, riseth again. I never heard
that the king took away any thing from you,
but the Captainship of the Guard, which he
did with very good reason, to have one of his
own knowledge, whom he might trust, in that
place. You have been taken for a wise man,
and so have shewed wit enough this day.
Again, for Monopolies for Wine, &c. if the
king had said, It is a matter that offends my
people, should I burden them for your private
good? I think you could not well take it hard-
ly, that his subjects were eased, though by
your private hindrance. Two vices have lodged
chiefly in you; one is an eager ambition, the
other corrupt covetousness. Ambition, in de-
siring to be advanced to equal grace and fa-
vour, as you have been before time; that
grace you had then, you got not in a day or
year. For your covetousness, I am sorry to
hear that a gentleman of your wealth should
become a base Spy for the enemy, which is
the vilest of all other; wherein on my con-
science Cobham hath said true: by it you
would have increased your living 1500*l.* a year.
This covetousness is like a canker, that eats
the iron place where it lives. Your case being
thus, let it not grieve you, if I speak a little
out of zeal, and love to your good. You have
been taxed by the world, with the Defence of
the most heathenish and blasphemous Opinions,
which I list not to repeat, because Christian
ears cannot endure to hear them, nor the au-
thors and maintainers of them be suffered to
live in any Christian Commonwealth. You
know what men said of Harpool. You shall
do well, before you go out of the world, to give
satisfaction therein, and not to die with these
imputations on you. Let not any devil per-
suade you to think there is no eternity in
Heaven: for if you think thus, you shall find
eternity in Hell-fire. In the first accusation of
my lord Cobham, I observed his manner of

speaking; I protest before the living God, I am persuaded he spoke nothing but the truth. You wrote, that he should not in any case confess any thing to a Preacher, telling him an example of my lord of Essex, that noble earl that is gone; who, if he had not been carried away with others, had lived in honour to this day among us: he confessed his offences, and obtained mercy of the Lord; for I am verily persuaded in my heart, he died a worthy servant of God. Your conceit of not confessing any thing, is very inhuman and wicked. In this world is the time of confessing, that we may be absolved at the Day of Judgment. You have shewed a fearful sign of denying God, in advising a man not to confess the truth. It now comes in my mind, why you may not have your Accuser come face to face: for such an one is easily brought to retract, when he seeth there is no hope of his own life. It is dangerous that any Traitors should have access to, or conference with one another; when they see themselves must die, they will think it best to have their fellow live, that he may commit the like Treason again, and so in some sort seek revenge.—Now it resteth to pronounce the Judgment, which I wish you had not been this day to have received of me: for if the fear of God in you had been answerable to your other great parts, you might have lived to have been a singular good subject. I never saw the like Trial, and hope I shall never see the like again:

The Judgment.

But since you have been found guilty of these horrible Treasons, the judgment of this court is*, That you shall be had from hence to the place whence you came, there to remain until the day of execution; and from thence you shall be drawn upon a hurdle through the open streets to the place of execution, there to be hanged and cut down alive, and your body shall be opened, your heart and bowels plucked out, and your privy members cut off, and thrown into the fire before your eyes; then your head to be stricken off from your body, and your body shall be divided into four quarters, to be disposed of at the king's pleasure: And God have mercy upon your soul.

Sir Walter Raleigh besought the earl of Devonshire, and the lords, to be suitors on his behalf to the king; that in regard of places of estimation he did bear in his majesty's time, the rigour of his Judgment might be qualified, and his death be honourable, and not ignominious. Wherein after they had promised him to do their utmost endeavours, the court rose, and the prisoner was carried up again to the castle.

Fourteen years sir Walter had spent in the

* As to the Judgment for Treason and the difference between the Judgment pronounced and that entered on the record, see Lord Derwentwater's Case, *infra*, A. D. 1713, and East's Pleas of the Crown, ch. 2. s. 78.

Tower, and being weary of a state wherein he could be only serviceable by his pen, but not in a capacity of serving and enriching his country any other way, (of whom prince Henry would say, 'that no king but his father would keep such a bird in a cage;') at length he fell upon an enterprize of a golden mine in Guiana in the Southern parts of America. The proposition of this was presented and recommended to his majesty by sir Ralph Winwood, Secretary of State, as a matter not in the air, or speculative, but real, and of certainty: for that sir Walter had seen of the ore of the mine, and tried the richness of it, having gotten a pound from thence by the hands of Captain Kemish's ancient servant.—Sir Ralph's recommendations of the design, and the earnest solicitations for his enlargement by the queen and prince, and the French Leiger, (with much affection to his deserts, not without some politic designs on Spain) together with the asseverations of sir Walter of the truth of the mine, worked upon his majesty, who thought himself in honour obliged, nay, in a manner engaged, as the Declaration which he published after the death of sir Walter tells us, not to deny unto his people the adventure and hope of so great riches to be sought and achieved at the charge of volunteers, especially since it stood so well with his majesty's politic and magnanimous courses in these his flourishing times of peace to nourish and encourage noble and generous enterprizes for plantations, discoveries, and opening of a new trade.—Count Gondomar, an active and subtle instrument to serve his master's ends, took alarm at this, and represented to his majesty the Enterprize of sir Walter to be hostile, and predatory, intending a breach of the peace between the two crowns. But notwithstanding, power at last is granted to sir Walter to set forth ships and men for that service. However, the king commanded him upon pain of his allegiance, to give him under his hand, promising, on the word of a king, to keep it secret, the number of his men, the burden and strength of his ships, together with the country and river which he was to enter: Which being done accordingly by sir Walter, that very original Paper was found in the Spanish governor's closet at St. Thomas's. So active were the Spanish ministers, that advertisement was sent to Spain, and thence to the Indies, before the English Fleet got out of the Thames.—But as we have just cause to admire the more than usual activity of the Spanish agents, so may we wonder no less at the miscarriage of his majesty's present ministers, who, notwithstanding he had passed his royal word to the contrary, yet they did help count Gondomar to that very Paper; so much both king and court were at Gondomar's service. A Commission* indeed is granted, but by Gondomar's means is limited, That the

* This Commission bears date Aug. 26, 1616, and is to be found in 1 Itymer's Fœdera, 789, wherein no mention is made of the king of Spain, or his subjects, notwithstanding it is so

Fleet should commit no outrages upon the king of Spain's subjects by land, unless they began first. With this commission, and the company of several brave captains, and other knights and gentlemen of great blood and worth, he set out in quest of the Mine with a compleat fleet of 12 sail; letting fall a speech at his departure, which was rather an argument of his wit than his wisdom; 'That his whole History of the World had not the like precedent, of a king's prisoner to purchase freedom, and his bosom favourite to have the halter, but in Scripture, Morderai and Haman;' meaning himself and the earl of Somerset. To which he was told, that the king replied, 'He might die in that deceit.' Which he did, for Somerset was saved. Of whom was made good what sir Walter used to say of Favourites, 'That minions were not so happy as vulgar judgments thought them, being frequently commanded to uncomely, and sometimes to unnatural employments.' On the 17th of Nov. he arrived at Guiana having been much retarded by contrary winds, and having lost several of his volunteers in the voyage, by a violent calenture. When sir Walter was returned to Plymouth, sir Lewis Steukly, Vice-Admiral of the county of Devon, seized him, being commissioned by his majesty to bring him to London; which could add no terror to a person who could expect nothing less. When he was brought to London, he was permitted the confinement of his own house: but finding the court wholly guided by Gondomar, he could hope for little mercy; therefore he wisely contrived the design of an escape into France; which sir Lewis Steukly betrayed.

The Voyage proving unsuccessful, king James was willing to sacrifice the life of sir Walter* to the advancement of peace with Spain, but not upon such grounds as the ambassador had designed; for he desired a Judgment upon the pretended breach of peace, that by this occasion he might slyly gain from the English an acknowledgment of his master's right in those places, and hereafter both stop their mouths, and quench their heat and valour.

Hence they resolved to proceed against him upon his old condemnation†, for having had experience upon a former Trial, they cared not to run the hazard of a second. Accordingly upon Wednesday, the 23th of Oct. 1618, the Lieutenant of the Tower, in pursuance of a Writ of *Habeas Corpus* to him directed, brought sir Walter Raleigh from the Tower to the King's-bench bar at Westminster. Where Mr. Attorney (Mr. Henry Yelverton,) spake in effect thus: My lords, sir Walter Raleigh, the prisoner at the bar, was 15 years since, convicted of High-Treason, by him committed against the person of his majesty, and the state

of this Kingdom, and then received the Judgment of death to be hanged, drawn, and quartered; his majesty, of his abundant grace, hath been pleased to shew mercy upon him till now, that justice calls unto him for Execution. Sir Walter hath been a statesman, and a man, who, in regard of his parts and quality, is to be pitied: he hath been as a star, at which the world hath gazed; but stars may fall, nay they must fall, when they trouble the sphere wherein they abide. It is therefore his majesty's pleasure now to call for Execution of the former Judgment, and I now require order for the same.

Then Mr. Fanshaw, Clerk of the Crown, read the Record of the Conviction and Judgment, and called to the Prisoner, to hold up his hand, which he did. Then was the Prisoner asked, What he could say for himself, why execution should not be awarded against him?

Sir Walter Raleigh. My lords, my voice is grown weak, by reason of my late sickness, and an ague, which I now have; for I was even now brought hither out of it.

L. C. Justice (sir Edw. Coke). Sir Walter, your voice is audible enough.

Sir Walter. Then, my lord, all I can say is this; That the Judgment which I received to die so long since, I hope it cannot now be strained to take away my life; for that since it was his majesty's pleasure to grant me a commission to proceed in a Voyage beyond the seas, wherein I had power as marshal, on the life and death of others, so, under favour, I presume I am discharged of that Judgment: for, by that Commission I departed the land, and undertook a Journey, to honour my sovereign, and to enrich his kingdom with gold, of the ore whereof this hand hath found and taken in Guiana; but the Voyage, notwithstanding my endeavour, had no other success, but what was fatal to me, the loss of my son, and wasting of my whole estate.

Being about to proceed, he was by the L. C. Justice interrupted, who spake:

L. C. J. Sir Walter Raleigh, this which you now speak, touching your Voyage, is not to the purpose, neither can your Commission any way help you, by that you are not pardoned; for by words of a special nature, in case of treason, you must be pardoned, and not implicitly. There was no word tending to Pardon in all your Commission, and therefore you must say something else to the purpose; otherwise, we must proceed to give execution.

Sir Walter Raleigh. If your opinion be so, my lord, I am satisfied, and so put myself on the mercy of the king, who I know is gracious; and, under favour, I must say I hope he will be pleased to take commiseration upon me, is concerning that judgment, which is so long past, and which, I think, here are some could witness, nay, his majesty was of opinion, that I had hard measure therein.

L. C. J. Sir Walter Raleigh, you must remember yourself; you had an honourable Trial, and so were justly convicted; and it were wisdom in you now to submit yourself, and to confess your Offence did justly draw upon you

insinuated in the king's Proclamation against sir Walter Raleigh, June 11, 1618, which is extant in 1 Rym. Fœdera, 92.

* 1 Rush. col. 9.

† See the Order for his Execution, 1 Rym. Fœd. 115.

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that Judgment which was then pronounced against you: wherefore I pray you attend what I shall say unto you. I am here called to grant Execution upon the Judgment given you 15 years since; all which time you have been as a dead man in the law, and might at any minute have been cut off, but the king in mercy spared you. You might think it heavy, if this were done in cold blood, to call you to Execution, but it is not so; for new Offences have stirred up his majesty's justice, to remember to revive what the law hath formerly cast upon you. I know you have been valiant and wise, and I doubt not but you retain both these virtues, for now you shall have occasion to use them. Your faith hath heretofore been questioned, but I am resolved you are a good Christian; for your Book, which is an admirable work, doth testify as much. I would give you counsel, but I know you can apply unto yourself far better than I am able to give you; yet will I, with the good neighbour in the Gospel, who finding one in the way, wounded and distressed, poured oil into his wounds, and refreshed him, I give unto you the oil of comfort; though, in respect that I am a minister of the law, mixed with vinegar. Sorrow will not avail you in some kind: for, were you pained, sorrow would not ease you; were you afflicted, sorrow would not relieve you; were you tormented, sorrow could not content you; and yet, the sorrow for your sins would be an everlasting comfort to you. You must do as that valiant captain did, who perceiving himself in danger, said, in defiance of death: 'Death, thou expectest me, but maugre thy spite, I expect thee.' Fear not death too much, nor fear not death too little: not too much, lest you fail in your hopes; not too little, lest you die presumptuously. And here I must conclude with my prayers to God for it; and that he would have mercy on your soul.—And so the L. C. Justice ended with these words: 'Execution is granted'.

Sir Walter Raleigh. My lord, I desire thus much favour, that I may not be cut off suddenly; for I have something to do in discharge of my conscience, and something to satisfy his majesty in, something to satisfy the world in; and I desire I may be heard at the day of my death. And here I take God to be my judge, before whom I shall shortly appear, I was never disloyal to his majesty, which I will justify where I shall not fear the face of any king on earth: and so I beseech you all to pray for me.

The Court having awarded Execution, the Sheriffs of Middlesex were commanded for that purpose to take him into their custody, who presently carried him to the Gatchouse. The following is a Copy of the Warrant for his Execution:

*De Warranto speciali pro decollatione WALTERI
RALEIGH, militis.*

'JAMES, by the grace of God, King of England, Scotland, France, and Ireland, defender
'of the faith, &c. To our right trusty and well-

beloved Counsellor Frances lord Verulam,
'our chancellor of England; greeting.—
'Whereas sir Walter Raleigh, knight, late of
'the parish of Saint Martin in the Fields, in
'the county of Middlesex, with others, hath
'been indicted of divers High-Treasons by him
'committed against us, and thereupon hath
'been tried, and found Guilty of the same, be-
'fore our dear cousin and counsellor, Thomas
'earl of Suffolk, then Chamberlain of our
'Household, Gilbert late earl of Shrewsbury,
'Charles late earl of Devon, Henry lord How-
'ard, Robert lord Cecil, of Essington, then our
'principal Secretary, Edward lord Wotton then
'our Comptroller of our Household, and other
'our Justices of Oyer and Termner, at our
'city of Winchester, in our county of South-
'ampton, concerning Treasons, and other of-
'fences, lately assigned; which said sir Walter
'Raleigh was, for the same his Treasons, by
'them adjudged to be drawn, hanged, and quar-
'tered, according to the laws and customs of
'this our reahn of England, in that case pro-
'vided; which said Commission, with the said
'Judgment, Indictment, and the Trial and pro-
'ceedings thereupon, were returned, and do
'remain in our said Court of Pleas, before us
'to be holden; and although the said sir Wal-
'ter Raleigh be adjudged to die as aforesaid;
'yet we, minding to dispense with that manner
'of Execution of Judgment, do therefore, by
'these presents, pardon, remit, and release the
'said sir Walter Raleigh, of and from such Ex-
'ecution of his Judgment to be drawn, hanged,
'and quartered, as abovesaid, and instead
'thereof, our pleasure is to have the head only
'of the said sir Walter Raleigh cut off, at, or
'within our palace of Westminster, in, or upon
'some fit and convenient place, or scaffold, to
'be provided in that behalf, and that in such
'sort and order, as in such cases have been
'heretofore done; the said Judgment to be
'drawn, hanged, and quartered, or any law, or
'other thing, or matter, whatsoever, to the
'contrary notwithstanding: willing, charging,
'and hereby expressly commanding you our
'said Chancellor, That, upon receipt hereof,
'you do forthwith direct, under our great seal
'of England, two several Writs, one to the
'Lieutenant of our Tower of London, or his
'deputy there, for the delivery of the said
'Walter Raleigh to the sheriff of Middlesex,
'at, or within our said palace of Westminster
'abovesaid; and another Writ to the said she-
'riff of Middlesex, for the receiving the said
'sir Walter Raleigh of and from the hands of
'our said Lieutenant, or his deputy, and for
'the executing of him there, at some fit and con-
'venient place, to be there. By our said sheriff,
'erected and provided for that purpose, in such
'manner and form as in such cases hath here-
'tofore been done, or used to be done; and
'these presents shall be your warrant and dis-
'charge for the same, against us, our heirs and
'successors for ever. Witness our self at
'Westminster, the 26th day of October 1618.
'Per Breve de Privato Sigillo.'

But all persons have wondered how that old Sentence, that had him committed 16 years and upwards against sir Walter, could have been made use of to take off his head afterwards: considering the then Lord Chancellor Venulam told him positively, (as sir Walter was acquainting him with that pardon of sir Wm. St. Leon for a Pecuniary Pardon, which might have been obtained for a less sum than his Guiana preparations amounted to) in these words: 'Sir, the knee-timber of your Voyage is Money; spare your purse in this particular, for upon my life you have a sufficient Pardon for all that is passed already, the king having, under his broad-seal, made you admiral of your fleet, and given you power of the martial law, over the officers and soldiers.'

It was the opinion of most lawyers, That he, who by his majesty's patent had power of life and death over the king's liege people, should be esteemed or judged *Rectus in curia*, and free from all old convictions. But sir Walter hath made the best defence for his Guiana actions, in his letter to his majesty, which is here inserted.

'May it please your most excellent majesty: In my Journey outward-bound, I had my men murdered at the island, and yet spared to take revenge: if I did discharge some Spanish barques taken without spoil; if I did forbear all parts of the Spanish Indies, wherein I might have taken 20 of their towns on the sea-coasts, and did only follow the Enterprize I undertook for Guiana, where, without any directions from me, a Spanish village was burnt, which was new set up within three miles of the Mine, by your majesty's favour, I find no reason why the Spanish Ambassador should complain of me. If it were lawful for the Spaniards to murder 26 Englishmen, binding them back to back, and then cutting their throats, when they had traded with them a whole month, and came to them on the land without so much as one sword; and that it may not be lawful for your majesty's subjects, being charged first by them, to repel force by force; we may justly say, O miserable English! If Parker and Metham took Campeach and other places in the Hondurnes, seated in the heart of the Spanish Indies, burned towns, killed the Spaniards, and had nothing said to them at their return, and myself forbore to look into the Indies because I would not offend; I may justly say, O miserable sir W. Raleigh! If I spent my poor estate, lost my son, suffered by sickness, and otherwise, a world of miseries; if I have resisted with the most fest hazard of my life, the robberies and spoils which my company would have made; if when I was poor, I might have made myself rich; if when I had gotten my liberty, which all men, and nature itself do so much prize, I voluntarily lost it; if, when I was sure of my life, I rendered it again; if I might elsewhere have sold my ship and goods, and put 5 or 6000*l.* in my pocket, and yet have brought her into England: I beseech your majesty to

believe, that all this I have done, because it should not be said to your majesty, that your majesty had given liberty and trust to a man whose end was but the recovery of his liberty, and who had betrayed your majesty's trust. My ministers told me, that if I returned for England I should be undone; but I believed in your majesty's goodness, more than in all their arguments. Sure I am, that I am the first that being free, and able to enrich myself, have embraced poverty and peril: and as sure I am, that my example shall make me the last. But your majesty's wisdom and goodness I have made my judge; who have ever been, and shall ever be, your majesty's most humble vassal, WALTER RALEIGH.'

But this Apology, though never so persuasive, could not satisfy Gondomar's rage, who was resolved to sacrifice the only favourite left of queen Elizabeth, to the Spanish interest: and who, as Osburn remarks, was the only person of Essex's enemies that died unexecuted; and the only man of note left alive, that had helped to beat the Spaniard in the year 1583.

Sir WALTER RALEIGH's Letter to the King the Night before his Execution.

THE night before the Execution, sir Walter wrote the following Letters, the one to the King, the other to his Wife:

'The life which I had, most mighty prince, the law hath taken from me, and I am now but the same earth and dust, out of which I was made. If my offence had any proportion with your majesty's mercy, I might despair, or if my deserving had any quantity with your majesty's unmeasurable goodness, I might yet have hope; but it is you that must judge, and not I. Name, blood, gentility, or estate, I have none; no not so much as a being, no not so much as a *ritam plantæ*: I have only a penitent soul in a body of iron, which moveth towards the loadstone of death, and cannot be withheld from touching it, except your majesty's mercy turn the point towards me that expelleth. Lost I am for hearing of vain man, for hearing out, and never believing nor accepting: and so little account I made of that speech of his, which was my condemnation (as my forsaking him doth truly witness) that I never remembered any such thing, till it was at my trial objected against me. So did he repay my care, who cared to make him good, which I now see no care of man can effect. But God (for my offence to him) hath laid this heavy burden on me, miserable and unfortunate wretch that I am! But for not loving you (my sovereign) God hath not laid this sorrow on me; for he knows (with whom I am not in case to lie) that I honoured your majesty by fame, and loved and admired you by knowledge; so that whether I live, or die, your majesty's loving servant I will live and die. If now I write what seems not well-favoured, most merciful prince, vouchsafe to ascribe it to the counsel of a dead heart, and to a mind that sorrow

hath confounded. But the more my misery is, the more is your majesty's mercy, if you please to behold it, and the less I can deserve, the more liberal your majesty's gift shall be: herein you shall only imitate God, by giving free life: and by giving it to such a one, from whom there can be no retribution, but only a desire to pay a lent life with the same great love, which the same great goodness shall bestow on it. This being the first letter that ever your majesty received from a dead man: I humbly submit myself to the will of God, my supreme lord, and shall willingly and patiently suffer whatsoever it shall please your majesty to inflict me withal.

WALTER RALEIGH.

Sir WALTER RALEIGH's Letter to his Wife.

You shall now receive, my dear wife, my last words in these my last lines. My love I send you, that you may keep it when I am dead; and my counsel, that you may remember it when I am no more. I would not by my Will present you with sorrows, dear Besse, let them go into the grave with me, and be buried in the dust. And seeing that it is not God's will that I should see you any more in this life, bear it patiently, and with a heart like thyself. First, I send you all the thanks which my heart can conceive, or my words can rehearse, for your many travails, and care taken for me; which though they have not taken effect as you wished, yet my debt to you is not the less; but pay it I never shall in this world. Secondly, I beseech you, for the love you bare me living, do not hide yourself many days, but by your travels seek to help your miserable fortunes, and the right of your poor child. Thy mourning cannot avail me, I am but dust. Thirdly, you shall understand that my land was conveyed *bona fide* to my child: the Writings were drawn at Midsummer was 12 months, my honest cousin Breit can testify so much, and Delberry too can remember somewhat therein. And I trust my blood will quench their malice that have cruelly murdered me, and that they will not seek also to kill thee and thine with extreme poverty. To what friend to direct thee I know not, for all mine have left me in the true time of trial. And I perceive that my death was determined from the first day. Most sorry I am, God knows, that being thus surprised with death I can leave you in no better estate. God is my witness, I meant you all my office of wines, or all that I could have purchased by selling it, half my stuff, and all my jewels, but some one for the boy; but God hath prevented all my resolutions, that great God that ruleth all in all: but if you can live free from want, care for no more, the rest is but vanity. Love God, and begin betimes to repose yourself upon him, and therein shall you find true and lasting riches, and endless comfort: for the rest, when you have travelled and wearied your thoughts over all sorts of worldly cogitations, you shall but sit down by sorrow in the end. Teach

your son also to love and fear God whilst he is yet young, that the fear of God may grow with him; and then God will be a husband to you, and a father to him; a husband and a father which cannot be taken from you. Bailly oweth me 200*l.* and Adrian 600*l.* in Jersey. I also have much owing me besides. The arrearages of the wines will pay your debts. And howsoever you do, for my soul's sake, pay all poor men. When I am gone, no doubt you shall be sought to, for the world thinks that I was very rich. But take heed of the pretences of men, and their affections, for they last not but in honest and worthy men; and no greater misery can befall you in this life than to become a prey, and afterwards to be despised. I speak not thus, God knows, to dissuade you from marriage, for it will be best for you both in respect of the world and of God. As for me, I am no more yours, nor you mine, death hath cut us asunder; and God hath divided me from the world, and you from me. Remember your poor child for his father's sake, who chose you, and loved you in his happiest times. Get those Letters, if it be possible, which I writ to the lords, wherein I sued for life: God is my witness, it was for you and yours that I desired life; but it is true that I disdained myself for begging of it: for know it, my dear wife, that your son is the son of a true man, and who, in his own respect, despiseth death; and all his misshapen and ugly forms. I cannot write much, God he knows how hardly I steal this time while others sleep, and it is also time that I should separate my thoughts from the world. Beg my dead body, which living was denied thee; and either lay it at Sherburne (and if the land continue) or in Exeter church by my father and mother. I can say no more, Time and Death call me away; the everlasting, powerful, infinite, and omnipotent God, that Almighty God, who is goodness itself, the true life and true light, keep thee and thine, have mercy on me, and teach me to forgive my persecutors and accusers, and send us to meet in his glorious kingdom. My dear wife, farewell. Bless my poor boy. Pray for me, and let my good God hold you both in his arms. Written with the dying hand of sometime thy husband, but now alas overthrown. WALTER RALEIGH.

His Execution.

Upon Thursday the 29th of Oct. 1618, Sir Walter Raleigh was conveyed by the Sheriffs of London to a scaffold in the Old Palace-Yard at Westminster, about 9 in the morning of the same day. Whereupon, when he came, with a cheerful countenance he saluted the lords, knights, and gentlemen there present. After which, a Proclamation was made for silence, and he addressed himself to speak in this manner, 'I desire to be borne withal, for this is the third day of my fever; and if I shall shew any weakness, I beseech you to attribute it to my malady, for this is the hour in which it is wont to come.'

Then pausing a while, he sat, and directed himself towards a window, where the Lords of Arundel, Northampton, and Doncaster, with some other lords and knights, sate, and spake as followeth: 'I thank God, of his infinite goodness, that he hath brought me to die in the light, and not in darkness;' (but by reason that the place where the lords, &c. sat, was some distance from the scaffold, that he perceived they could not well hear him, he said) 'I will strain my voice, for I would willingly have your honours hear me.'

But my lord of Arundel said, Nay, we will rather come down to the scaffold; which he and some others did. Where being come, he saluted them severally, and then began again to speak as followeth, viz.

'As I said, I thank God heartily, that he hath brought me into the light to die, and that he hath not suffered me to die in the dark prison of the Tower, where I have suffered a great deal of misery and cruel sickness; and I thank God that my fever hath not taken me at this time, as I prayed to God it might not. —There are two main points of Suspicion that his majesty, as I hear, hath conceived against me. To resolve your lordships wherein his majesty cannot be satisfied, which I desire to clear, and to resolve your lordships of: One is, That his majesty hath been informed that I have often had Plots with France, and his majesty had good reason to induce him thereunto. One Reason that his majesty had to conjecture so was, that when I came back from Guiana, being come to Plymouth, I endeavoured to go in a bark to Rochel, which was, for that I would have made my peace before I had come to England. Another reason was, That upon my flight, I did intend to fly into France, for the saving of myself, having had some terror from above. A third reason, that his majesty had reason to suspect, was the French agent's coming to me; besides, it was reported that I had a Commission from the French king at my going forth: These are the Reasons that his majesty had, as I am informed, to suspect me.—But this I say, for a man to call God to witness to a falsehood at the hour of death, is far more grievous and impious, and that a man that so doth cannot have salvation, for he hath no time of repentance; then what shall I expect, that am going instantly to render up my account? I do therefore call God to witness, as I hope to be saved, and as I hope to see him in his kingdom, which I hope I shall within this quarter of an hour, I never had any Commission from the French king, nor never saw the French king's hand-writing in all my life; neither knew I that there was a French Agent, nor what he was, till I met him in my gallery at my lodging unlooked for: If I speak not true, O lord! let me never enter into thy kingdom.—The second Suspicion was, That his majesty had been informed, that I should speak dishonourably and disloyally of my sovereign; but my Accuser was a base French-

man, and rannagate fellow, one that hath no dwelling, a kind of a chymical fellow, one that I knew to be peridious; for being by him drawn into the action of fearing myself at Winchester, in which I confess my hand was toucht, he being sworn to secrecy over-night, revealed it the next morning.—But this I speak now, what have I to do with kings? I have nothing to do with them, neither do I fear them; I have only now to do with my God, in whose presence I stand; therefore to tell a lye, were it to gain the king's favour, were vain: Therefore, as I hope to be saved at the last Judgment-day, I never spoke dishonourably, disloyally, or dishonestly of his majesty in all my life; and therefore I cannot but think it strange that that Frenchman, being so base and mean a fellow, should be so far credited as he hath been.—I have dealt truly, as I hope to be saved, and I hope I shall be believed; I confess I did attempt to escape, I cannot excuse it, but it was only to save my life.—And I do likewise confess, that I did feign myself to be ill-disposed and sick at Salisbury; but I hope it was no sin, for the prophet David did make himself a fool, and suffered spittle to fall down upon his beard, to escape from the hands of his enemies, and it was not imputed unto him: so, what I did, I intended no ill, but to gain and prolong time till his majesty came, hoping for some commiseration from him.—But I forgive this Frenchman and sir Lewis Steukley, with all my heart, for I have received the Sacrament this morning of Mr. Dean of Westminster, and I have forgiven all men; but that they are peridious, I am bound in charity to speak, that all men may take heed of them.—Sir Lewis Steukley, my keeper and kinsman, hath affirmed that I should tell him, that my lord Carew, and my lord of Doncaster here, did advise me to escape; but I protest before God, I never told him any such thing, neither did the lords advise me to any such matter, neither is it likely that I should tell him any such thing of two privy counsellors; neither had I any reason to tell him or he to report it; for it is well known he left me 6, 7, 8, 9, and 10 days together alone, to go whither I listed, whilst he rode himself about the country.—He further accused me, that I should shew him a Letter, whereby I did signify unto him that I would give him 10,000*l.* for my Escape; but God cast my soul into everlasting fire, if I made any such proffer of 10,000*l.* or 1000*l.* but indeed I shewed him a Letter, that if he would go with me, there should be order taken for his Debts when he was gone; neither had I 10,000*l.* to give him; for if I had had so much I could have made my peace better with it other way, than in giving it to Steukley.—Further, When I came to sir Edw. Pelham's house, who had been a follower of mine, and who gave me good entertainment; he gave out that I had there received some draught of poison, when I answered him that I feared no such thing, for I was well assured

of them in the house, and therefore wisht him to have no such thought. Now God forgive him, for I do, and I desire God to forgive him: I will not only say, God is a God of Revenge; but I desire God, to forgive him, as I do desire to be forgiven of God.

Then looking over his note of remembrance. Well, said he, thus far I have gone; a little more, a little more, and I will have done by and by.—It was told the king that I was brought per force into England, and that I did not intend to come again; but sir C. Parker, Mr. Tresham, Mr. Leake, and divers know how I was dealt withal by the common soldiers, which were 130 in number, who mutinied, and sent for me to come into the ship to them, for unto me they would not come, and there I was forced to take an Oath that I would not go into England till that they would have me; otherwise they would have cast me into the sea, and therewithal they drove me into my cabbin, and bent all their forces against me.—Now after I have taken this Oath, with wine and other things such as I livd about me, I drew some of the chiefest to desist from their purposes; and at length I persuaded them to go into Ireland, which they were willing unto, and would have gone into the North parts of Ireland, which I dissuaded them from, and told them that they were Red-Shankes that inhabited there: and with much ado I persuaded them to go into the south parts of Ireland, promising them to get their pardons, and was forced to give them 125*l.* at Kinsale, to bring them home, otherwise I had never got from them.—I hear likewise there was a report that I meant not to go to Guiana at all, and that I knew not of any Mine, nor intended any such thing or matter, but only to get my liberty, which I had not the wit to keep. But I protest it was my full intent, and for Gold; for Gold, for the benefit of his majesty and myself, and of those that ventured and went with me, with the rest of my countrymen: but he that knew the head of the Mine would not discover it, when he saw my son was slain, but made away himself.” And then turning to the earl of Arundel, he said, “My Lord, being in the gallery of my ship, at my departure, I remember your honour took me by the hand, and said, You would request one thing of me, which was, That whether I made a good voyage or a bad, I should not fail, but to return again into England; which I then promised you, and gave you my faith I would; and so I have.”

To which my Lord answered, and said, It is true I do very well remember it, they were the very last words I spake unto you.

Another slander was raised of me, That I would have gone away from them, and left them at Guiana. But there were a great many worthy men that accompanied me all ways; as my serj. major, George Raleigh, and divers others, which knew my intent was nothing so.—Another opinion was held of me,

that I carried with me to sea 16,000 pieces, and that was all the Voyage I intended, only to get money into my hands. As I shall answer it before God, I had not in all the world in my hands, or others to my use, either directly or indirectly, above a 100*l.*, whereof when I went I gave my wife 25*l.* thereof; but the error thereof came, as I perceived, by looking over the Scrivener's Books, where they found the Bills of Adventure arising to a great sum, and so raised that false report.—Only I will borrow a little time of Mr. Sheriffs to speak of one thing, that doth make my heart to bleed to hear that such an imputation should be laid upon me; for it is said, that I should be a persecutor of the death of the earl of Essex, and that I stood in a window over-against him when he suffered, and pulled out tobacco in disdain of him. God I take to witness, I shed tears for him when he died; and as I hope to look God in the face hereafter, my lord of Essex did not see my face when he suffered, for I was afar off in the Armory, where I saw him, but he saw not me.—I confess indeed I was of a contrary faction, but, I know my lord of Essex was a noble gentleman, and that it would be worse with me when he was gone; for I got the hate of those which wished me well before, and those that set me against him, afterwards set themselves against me, and were my greatest enemies, and my soul hath many times been grieved that I was not nearer him when he died; because, as I understood afterwards, that he asked for me at his death, to have been reconciled unto me.—And these be the material points I thought good to speak of, and I am now at this instant to render up an account to God; and I protest, as I shall appear before him, this that I have spoken is true, and I hope I shall be believed.

Then a Proclamation being made, that all men should depart the scaffold, he prepared himself for death; giving away his hat, his cap, with some money, to such as he knew, that stood near him. And then taking his leave of the lords, knights, gentlemen, and others of his acquaintance, and amongst the rest, taking his leave of my lord of Arundel, he thanked him for his company, and intreated him to desire the king that no scandalous Writing to defame him might be published after his death; saying further unto him, I have a long journey to go, and therefore I will take my leave.—And then putting off his doublet and gown, desired the headsman to shew him the ax; which not being suddenly granted unto him, he said, I prithee let me see it, dost thou think that I am afraid of it? So it being given unto him, he felt along upon the edge of it, and smiling, spake unto Mr. Sheriff, saying, “This is a sharp medicine, but it is a physician that will cure all diseases.”

Then going to and fro upon the scaffold on every side, he intreated the company to pray to God to give him strength.

Then having ended his Speech, the executioner kneeled down and asked him forgiveness;

the which laying his hand upon his shoulder he forgave him. Then being asked which way he would lay himself on the block, he made answer and said, So the heart be straight, it is no matter which way the head lieth: So laying his head on the block, his face being towards the east, the headsman throwing down his own cloak, because he would not spoil the prisoner's gown, he giving the headsman a sign when he should strike, by lifting up his hands, the Executioner struck off his head at two blows, his body never sinking nor moving. His head was shewed on each side of the scaffold, and then put into a red leather bag, and his wrought velvet gown thrown over it, which was afterwards conveyed away in a mourning coach of his lady's.—He was 66 years old.

"This Conspiracy of sir Walter Raleigh's," writes Bishop Kennett in a note to Wilson's Life of James the first, "is variously represented by the Historians and Writers of that time, but acknowledged by all of them to have been a Riddle of State. I have seen most of the Accounts that have been published on this subject; and from them and from some sheets of Cecil earl of Salisbury, and a Manuscript of one Buck, who it seems was secretary to Chancellor Egerton, I take the case to have been this:—The earl of Salisbury and sir Walter Raleigh had been open and declared enemies of the unhappy earl of Essex, and the chief promoters of his ruin: Though king James could easily digest the death of queen Mary Stuart his mother, it is notoriously known he never heartily forgave any of Essex's enemies; which both Cecil and Raleigh were aware of, but took contrary measures to avoid his resentment. Raleigh trusting in the justice of his procedure in that affair, made no steps towards the making his peace with her successor, contenting himself with the favour of that mistress who raised him, which he enjoyed to her death. On the contrary, Cecil, by the mediation of Hume, that was afterwards earl of Dunbar, had been long before entirely reconciled to king James, had done him important services, and kept a correspondence with him, while queen Elizabeth was alive.—When king James came into England, Cecil was not only

continued in his places, but, contrary to all men's expectations, was indeed made the first minister of state, and Raleigh neglected. The latter knowing the former to be at least equally concerned with him in the fall of Essex, his great mind could not bear the distinction made between them by their new master; and the rather, that Cecil acted the courtier, in frowning upon his old friend and acquaintance, and giving him fresh mortifications upon every occasion. In Buck's Manuscript there is mentioned a Memorial of Raleigh's to king James, wherein he reflects heavily upon Cecil in the matter of Essex, and vindicating himself, throws the whole blame upon the other. At the end of that Memorial, he lays open the conduct of Cecil and his father the lord Burleigh, in the matter of queen Mary Stuart, and, with a singular bitterness of style, not only vindicates the memory of queen Elizabeth, but lays the death of that unfortunate queen chiefly at the door of Cecil and his father; for which he appeals to Davison, then in prison, the man that had dispatched the Warrant for her Execution, contrary to queen Elizabeth's express command. All this had no influence on king James, and irritated Cecil the more against Raleigh; which helped to sour a temper that of itself was impatient of injuries, and for all his other excellent qualities, was not fitted for this reverse of fortune.—This brought him into the acquaintance and familiarity of other men, as discontented as himself, though of different religions and interests; and occasioned probably more discourses than one, of having recourse to foreign powers to mend their present fortunes. It is also not unlikely, that the lady Arabella's name might, upon these occasions, be mentioned by sir Walter Raleigh, as one that had a near title to the crown; but that he ever entered into any form or design of altering the established religion, (as was said at his Trial) no body then nor since did ever believe."

The eminent merits, high reputation, and uncommon fate of sir Walter Raleigh, together with the obscurity of the transactions concerning him, will justify the insertion of the following Articles which throw light on his interesting story:

TWO LETTERS of Sir Dudley Carleton (afterwards Viscount Dorchester) concerning Sir WALTER RALEIGH'S PLOT; inclosed in the following Letter from Mr. Dudley Carleton to Philip Lord Wharton.

[Extracted from the Hardwicke State Papers, vol. 1. p. 377.]

MY noble lord; The two letters inclosed are those, of which, when I told your lordship, you shewed yourself very desirous to have sight and therefore I have sent them to you. That Dudley Carleton, whose name you will find subscribed to them, was my uncle, who died secretary to his late majesty, who had likewise honoured him with the title of viscount Dorchester; and I suppose you knew him. He was, at the time he wrote them, secretary to my lord

of Northumberland's father, and both an ear and eye witness of most that passed in the Arraignment and Execution at Winchester, in anno 1603. I wish they may serve your Lordship to such use as you desire; and if I could give you any further light, I should be most ready to serve you, as being your Lordship's, &c. DUDLEY CARLETON.

London,
Feb. 14th, 1631.

Sir Dudley Carleton, to Mr. John Chamberlain.

Sir: I was taking care how to send unto you, and little looked for so good a means as your man, who came to me this morning; and though he would in all haste be gone, I have stayed him this night, to have time to discourse unto you these tragical Proceedings. I was not present at the first or second Arraignment, wherein Brooke, Markham, Brookesby, Copley, and the two Priests were condemned, for practising the surprize of the king's Person, the taking of the Tower, the deposing of Counsellors, and proclaiming Liberty of Religion. They were all condemned upon their own Confessions, which were set down under their own hands, as Declarations; and compiled with such labour and care, to make the matter they undertook seem very feasible, as if they had feared they should not say enough to hang themselves. Pirra was acquitted, being only drawn in by the priests as an assistant, without knowing the purpose; yet had he gone the same way as the rest (as it is thought), save for a word the lord Cecil cast in the way as his cause was in handling, That the king's glory consisted as much in freeing the innocent, as condemning the guilty.

The Commissioners for this Trial were, the Lord Chamberlain, lord of Devon, lord Henry Howard, lord Cecil, lord Wotton, the Vice Chamberlain, the two Chief Justices, Justice Gawdy, and Warburton. Of the King's Council, none were employed in that, or the arraignment, but the Attorney (Coke,) Heale, and Philips; and in effect, none but the Attorney. Sir Walter Raleigh served for a whole act, and played all the parts himself. His cause was disjoined from the Priests, as being a practice only between himself and the lord Cobham,* to have brought in the Spaniard, to have raised Rebellion in the realm, by fastening money upon discontents, to have set up the lady Arabella, and to have tied her to certain conditions; as to have a perpetual peace with Spain; not to have bestowed herself in marriage but at the direction of the Spaniard; and to have granted Liberty of Religion. The Evidence against him, was only Cobham's Confession, which was judged sufficient to condemn him; and a Letter was produced, written by Cobham the day before, by which he accused Raleigh as the first practiser of the Treason betwixt them; which served to turn against him; though he shewed, to countervail this, a Letter written by Cobham, and delivered to him in the Tower, by which he was clearly acquitted. After Sentence given, his request was, to have his Answers related to the king, and pardon begged; of which, if there were no hope, then that Cobham might die first. He answered with that temper, wit, learning, courage and judgment, that save that it went with the hazard

* It does not appear what proceedings had been had against Cobham.

of his life, it was the happiest day that ever he spent. And so well he shifted all advantages that were taken against him, that were not *fama mulum gravius quam res*, and an ill name half hanged, in the opinion of all men, he had been acquitted.—The two first that brought the news to the king, were Roger Ashton and a Scotchman; whereof one affirmed, That never any man spoke so well in times past, nor would do in the world to come; and the other said, That whereas when he saw him first, he was so led with the common hatred, that he would have gone a hundred miles to have seen him hanged, he would, ere he parted, have gone a thousand to have saved his life. In one word, never was man so hated, and so popular, in so short a time. It was thought the lords should have been arraigned on Tuesday last, but they were put off till Friday and Saturday; and had their trials apart before the Lord Chancellor (Ellesmere, as Lord Steward for both those days), eleven earls, nineteen barons. The duke^o, the earl of Marr, and many Scottish lords, stood as spectators; and of our ladies, the greatest part, as the lady Nottingham, the lady Suffolk, and the lady Arabella, who heard herself much spoken of these days. But, the arraignment before, she was more particularly remembered, as by sir Walter Raleigh, for a woman, with whom he had no acquaintance, and one, whom, of all that he ever saw, he never liked; and by Serj. Hale, as one that had no more right to the crown than himself; and for any claim that he had to it, he utterly disavowed it. Cobham led the way on Friday, and made such a fasting day's piece of work of it, that he discredited the place to which he was called; never was seen so poor and abject a spirit. He heard his indictment with much fear and trembling, and would sometimes interrupt it, by forswearing what he thought to be wrongly inserted; so as, by his fashion, it was known ere he spake, what he would confess or deny. In his first answer, he said, he had changed his mind since he came to the bar; for whereas he came with an intention to have made his confession, without denying any thing, now seeing many things inserted in this indictment with which he could not be charged, being not able in one word to make distinction of many parts, he must plead to all not guilty. For any thing that belonged to the lady Arabella, he denied the whole accusation; only said, she had sought his friendship, and his brother Brooke had sought her's. For the other purposes, he said, he had hammered in his brains some such imaginations; but never had purpose to bring them to effect. Upon Raleigh, he exclaimed as one who had stirred him up to discontent, and thereby overthrown his fortunes. Against him he said, that he had once propounded to him a means for the Spaniard to invade England, which was, to bring down an army to the Groyne, under pretence to send them into the Low Countries, and land them at Milford Haven: that he had made

^o Of Lenox, then the only one of that degree.

himself a pensioner to Spain for 1500 crowns by the year, to give intelligence; and, for an earnest of his diligence, had already related to the Count D'Aremberg, the particularities of what passed in the states audiences at Greenwich. His brother's confession was read against him, wherein he accused him of a contract made with Aremberg for 500,000 crowns to bestow amongst discontents, whereof Raleigh was to have had 10,000, Grey as much, and Brooke 1000; the rest, as they should find fit men to bestow it on. He excepted against his brother as an incompetent accuser, baptizing him with the name of a viper; and laid to his charge (though far from the purpose) the getting of his wife's sister with child; in which it is thought he did young Coppinger some wrong.

A letter was produced which he wrote to Aremberg's for so much money: and Aremberg's answer, consenting for the furnishing of that sum. He then flew to his former retreat, that in this likewise he had no ill meaning, and excused Aremberg as one that meant only thereby to further the peace. When particularities were farther urged, that, in his intended travel, he meant to have gone into the Low Countries to the archduke; from thence into Savoy: so into Spain; then have returned by Jersey; and there to have met Raleigh, and to have brought some money from the well-spring where it was to be had, he confessed imaginations, but no purposes, and still laid the fault upon his own weaknesses, in that he suffered himself to be misled by Raleigh. Being asked of his two letters to different purposes, the one excusing, the other condemning Raleigh; he said, the last was true, but the other was drawn from him by device in the Tower, by young Harvey the lieutenant's son, whom Raleigh had corrupted, and carried intelligence betwixt them (for which he is there committed, and is likely to be arraigned at the King's-bench). Having thus accused all his friends, and so little excused himself, the peers were not long in deliberation what to judge; and after sentence of condemnation given, he begged a great while for life and favour, alleging his confession as a meritorious act. Grey, quite in another key, began with great assurances and alacrity: spake a long and eloquent speech, first to the lords, and then to the judges, and lastly to the king's council; and told them well of their charges, and spake effectually for himself. He held them the whole day, from eight in the morning till eight at night, in subtle traverses and scapes; but the evidence was too perspicuous, both by Brooke's and Markham's confessions, that he was acquainted with the surprize;* yet the lords were long ere they could all agree, and loth to come out with so hard censure against him. For though he had some heavy enemies, as his old antagonist, who was mute before his face, but spake within very unnobly against him; yet most of them strove with themselves, and would fain (as it

seemed) have dispensed with their consciences to have shewed him favour. At the pronouncing of the opinion of the lords, and the demand whether he had any thing to say why sentence of death should not be given against him, these only were his words, "I have nothing to say;" there he paused long; "and yet a word of Tacitus comes in my mind, *Non eadem omnibus decora*: the house of the Wiltons had spent many lives in their prince's service, and Grey cannot beg his. God send the king a long and prosperous reign, and to your lordships all honour."

After sentence given, he only desired to have one Travers,* a divine, sent for to come to him, if he might live two days. If he were to die before that, then he might have one Field, whom he thought to be near. There was great compassion had of this gallant young lord; for so clear and fiery a spirit had not been seen by any that had been present at like trials. Yet the Lord Steward condemned his manner much, terming it Lucifer's pride, and preached much humiliation: and the judges liked him as little, because he disputed with them against their laws. We cannot yet judge what will become of him or the rest; for all are not like to go one way. Cobham is of the surest side, for he is thought least dangerous, and the lord Cecil undertakes to be his friend. They say the priests shall lead the dance tomorrow; and Brooke next after: for he proves to be the knot that tied together the three conspiracies; the rest hang indifferent betwixt mercy and justice, wherein the king hath now subject to practise himself. The lords are most of them returned to the court. The Lord Chancellor and Treasurer remain here till Tuesday, to shut up the term. My lord goeth from hence to Petworth; but I pick quarrel to stay behind, to see an end of these matters.

I do call to mind a pretty secret, that the lady of Pembroke hath written to her son Philip, and charged him, of all her blessings, to employ his own credit, his friends, and all he can do, for Raleigh's pardon: and though she does little good, yet she is to be commended for doing her best, in shewing *veteris vestigia flammæ*. And thus being come round where I began, it is time to leave you, desiring you to excuse me to my cousin sir Rowland Litton, for not writing; and so you well may, for you have enough for yourself and all my kindred and friends, to make you all weary. Sir Walter Cope is in this town, and sir Hugh Beston likewise, who often asks for you as your friend, and therefore you are the more to lament that he is untimely come to a night-cap. Many marvel at his sudden breaking, but most ascribe it to a thought he took at a word which sir Walter Raleigh spoke at his examinations: who asked if sir Hugh Beston was not apprehended and tortured, because he was always of his chiefest council. I shall never end, unless I abruptly bid you farewell. From Winchester, the 27th

* Of the court.

* A Puritan, the antagonist of Hooker.

of November, 1603. Your's, &c. DUDLEY CARLETON.*

The Same to the Same.

Sir: I know not when or how to send to you; yet here happening an accident worth your knowledge, I cannot but put it in record whilst the memory of it is fresh; and for the rest, stand to the venture. But because I have taken a time of good leisure, and it is likely this letter will take his leisure, ere it come at you; I may as well leap in where I left, when I wrote to you by your man, and proceed in an order by narration; since this was a part of the same play, and that other acts came betwixt, to make up a tragical comedy.

The two priests that led the way to the execution, were very bloodily handled; for they were both cut down alive; and Clarke, to whom more favour was intended, had the worse luck; for he both strove to help himself, and spake after he was cut down. They died boldly both; and Watson (as he would have it seem) willing: wishing he had more lives to spend, and one to lose, for every man he had by his treachery drawn into this treason. Clarke stood somewhat upon his justification, and thought he had hard measure: but imputed it to his function, and therefore thought his death meritorious, as a kind of martyrdom. Their quarters were set on Winchester gates, and their heads on the first Tower of the castle. Brooke was beheaded in the castle-yard, on Monday last; and to double his grief, had Sr. Croftes in his sight, from the scaffold, which drove him first to discontent†. There was no greater assembly than I have seen at ordinary executions; nor no man of quality more than the lord of Arundel and young Somerset; only the bishop of Chichester who was sent from the court two days before, to prepare him to his end, could not get loose from him; but, by Brooke's earnest entreaty was fain to accompany him to the scaffold, and serve for his ghostly father. He died constantly (and, to seeming, religiously); spake not much; but what he said was well and assured. He did somewhat extenuate his offences, both in the treasons, and the course of his life; naming these rather errors than capital crimes; and his former faults, sins; but not so heinous as they were traduced; which he referred to the God of truth and time to discover; and so left it, as if somewhat lay yet hid, which would one day appear for his justification. The bishop went from him to the lord Cobham; and at the same time, the bishop of Winchester was with Raleigh; both by express order from the king; as well to prepare them for their ends, as likewise to bring them to liberal confessions, and by that means reconcile the contradictions of the one's open accusation, and the other's peremp-

tory denial. The bishop of Chichester had soon done what he came for, finding in Cobham a willingness to die, and readiness to die well; with purpose at his death to affirm as much as he had said against Raleigh; but the other bishop had more to do with his charge; for though, for his conscience, he found him well settled, and resolved to die a Christian and a good Protestant, for the point of confession, he found him so strait-laced, that he would yield to no part of Cobham's accusation; only, the pension, he said, was once mentioned, but never proceeded in. Grey in the mean time, with his minister Field, having had the like summons for death, spent his time in great devotions; but with that careless regard of that with which he was threatened, that he was observed neither to eat or sleep the worse, or be any ways distracted from his accustomed fashions. Markham was told he should likewise die: but by secret message from some friends at court, had still such hope given him, that he would not believe the worst news till the last day; and though he could be content to talk with the preacher which was assigned him, it was rather to pass time, than for any good purpose; for he was catholicly disposed; to think of death no way disposed. Whilst these men were so occupied at Winchester, there was no small doings about them at court, for life or death; some pushing at the wheel one way, some another. The lords of the council joined in opinion and advice to the king, now in the beginning of his reign to shew as well examples of mercy as severity, and to gain the title of Clemens, as well as Justus; but some others, led by their private spleen and passions, drew as hard the other way; and Patrick Galloway, in his sermon on Tuesday, preached so hotly against remissness and moderation of justice, in the head of justice, as if it were one of the seven deadly sins. The king held himself upright betwixt two waters; and first let the lords know, that since the law had passed upon the prisoners, and that they themselves had been their judges, it became not them to be petitioners for that, but rather to press for execution of their own ordinances; and to others, gave as good reasons, to let them know that he would go no whit the faster for their driving; but would be led as his own judgment and affections would move him; but seemed rather to lean to this side than the other, by the care he took to have the law take his course, and the execution hastened.

Warrants were signed, and sent to sir Benjamin Tichborne, on Wednesday last at night, for Markham, Grey, and Cobham, who in this order were to take their turns, as yesterday, being Friday, about ten of the clock. A fouler day could hardly have been picked out, or fitter for such a tragedy. Markham being brought to the scaffold, was much dismayed, and complained much of his hard hap, to be deluded with hopes, and brought to that place unprepared. One might see in his face the very picture of sorrow; but he seemed not to

* This Letter contains other matter, which is not here inserted as having no relation to Raleigh or his associates.

† Missing, I suppose, the mastership.

want resolution; for a napkin being offered by a friend that stood by, to cover his face, he threw it away, saying, he could look upon death without blushing. He took leave of some friends that stood near, and betook himself to his devotions, after his manner; and those ended, prepared himself to the block. The sheriff, in the mean time, was secretly withdrawn, by one John G.b, a Scotch groom of the bedchamber; whereupon the execution was stayed, and Markham left upon the scaffold to entertain his own thoughts, which, no doubt, were as melancholy as his countenance, sad and heavy. The sheriff, at his return, told him, that since he was so ill prepared, he should yet have two hours respite, so led him from the scaffold, without giving him any more comfort, and locked him into the great hall, to walk with prince Arthur. The lord Grey, whose turn was next, was led to the scaffold by a troop of the young courtiers, and was supported on both sides by two of his best friends; and coming in this equipage, had such gaiety and cheer in his countenance, that he seemed a dapper young bridegroom. At his first coming on the scaffold, he fell on his knees, and his preacher made a long prayer to the present purpose, which he seconded himself with one of his own making, which, for the phrase, was somewhat affected, and suited to his other speeches; but, for the fashion, expressed the fervency and zeal of a religious spirit. In his confession, he said, though God knew this fault of his was far from the greatest, yet he knew, and could but acknowledge his heart to be faulty; for which he asked pardon of the king; and thereupon entered into a long prayer for the king's good estate, which held us in the rain more than half an hour; but being come to a full point, the sheriff stayed him, and said, he had received orders from the king, to change the order of the execution, and that the lord Cobham was to go before him; whereupon he was likewise led to prince Arthur's hall, and his going away seemed more strange unto him, than his coming thither; for he had no more hope given him, than of an hour's respite; neither could any man yet dive into the mystery of this strange proceeding.

The lord Cobham, who was now to play his part, and by his former actions promised nothing but *matiere pour rire*, did much cozen the world; for he came to the scaffold with good assurance, and contempt of death. He said some short prayers after his minister, and so outprayed the company that helped to pray with him, that a stander-by said, 'He had a good mouth in a cry, but was nothing single.' Some few words he used, to express his sorrow for his offence to the king, and craved pardon of him and the world; for sir Walter Raleigh, he took it, upon the hope of his soul's resurrection, that what he had said of him was true; and with those words would have taken a short farewell of the world, with that constancy and boldness, that we might see by him, it is an easier matter to die well than live well.

He was stayed by the sheriff, and told, that there resteth yet somewhat else to be done; for that he was to be confronted with some other of the prisoners, but named none. So as Grey and Markham being brought back to the scaffold, as they then were, but nothing acquainted with what had passed, no more than the lookers-on with what should follow, looked strange one upon the other like men beheaded, and met again in the other world. Now all the actors being together on the stage (as us is at the end of a play,) the sheriff made a short speech unto them, by way of the interrogatory of the heinousness of their offences, the justness of their trials, their lawful condemnation, and due execution there to be performed; to all which they assented; then, saith the sheriff, see the mercy of your prince, who, of himself, hath sent hither to countermand, and given you your lives. There was then no need to beg a *plaudite* of the audience, for it was given with such hues and cries, that it went from the castle into the town, and there began afresh, as if there had been some such like accident. And this experience was made of the difference of examples of justice and mercy; that in this last, no man could cry loud enough, 'God save the King;' and at the holding up of Brookes's head, when the executioner began the same cry, he was not seconded by the voice of any one man, but the sheriff. You must think, if the spectators were so glad, the actors were not sorry; for even those that went best resolved to death, were glad of life. Cobham vowed openly, if ever he proved traitor again, never so much as to beg his life; and Grey, that since he had his life, without begging, he would deserve it. Markham returned with a merrier countenance than he came to the scaffold. Raleigh, you must think (who had a window opened that way), had hammer working in his head, to beat out the meaning of this stratagem. His turn was to come on Monday next; but the king has pardoned him with the rest, and confined him with the two lords to the Tower of London, there to remain during pleasure. Markham, Brooksby and Copley, are to be banished the realm. This resolution was taken by the king without man's help, and no man can rob him of the praise of yesterday's action; for the lords knew no other, but that execution was to go forward, till the very hour it should be performed; and then, calling them before him, he told them, how much he had been troubled to resolve in this business; for to execute Grey, who was a noble young, spirited fellow, and save Cobham, who was as base and unworthy, were a manner of injustice. To save Grey, who was of a proud insolent nature, and execute Cobham, who had shewed great tokens of humility and repentance, were as great a solecism; and so went on with Plutarch's comparisons in the rest, till travelling in contraries, but holding the conclusion in so different balance, that the lords knew not what to look for till the end came out, and therefore I have saved them all. The

55] STATE TRIALS, 1 JAMES I. 1603.—*Trial of Sir Walter Raleigh*, [56]

miracle was as great there, as with us at Winchester, and it took like effect; for the applause that began about the king, went from thence into the presence, and so round about the court.

I send you a copy of the king's letter, which was privately written the Wednesday night, and the messenger dispatched the Thursday about noon. But one thing had like to have marred the play; for the letter was closed, and delivered him unsigned; which the king remembered himself, and called for him back again.

And at Winchester, there was another cross adventure; for John Gib could not get so near the scaffold, that he could speak to the sheriff, but was thrust out amongst the boys, and was fain to call out to sir James Hayes, or else Markham might have lost his neck. There were other by-passages, if I could readily call them to mind; but here is enough already for *un petit mot de lettre*, and therefore I bid you heartily farewell. From Salisbury this 11th of Dec. 1603. Your's, &c.

DUDLEY CARLTON.

Account of the GUIANA EXPEDITION; with a Character of Sir Walter Raleigh.

[Extracted from Howell's *Familiar Letters*, pp. 21, 383.]

To Sir James Crofts, kt. at St. Osith.

"The news that keeps greatest noise here now, is the return of sir Walter Raleigh from his Mine of Gold in Guiana, the South parts of America, which at first was like to be such a hopeful boun Voyage, but it seems that that golden mine is proved a mere Chimera, an imaginary airy mine; and indeed his majesty had never any other conceit of it: But what will not one in captivity (as sir Walter was) promise, to regain his freedom? who would not promise; not only mines, but mountains of gold, for liberty? and it is pity such a knowing well-weighed knight had not had a better fortune; for the Destiny (I mean that brave ship which he built himself of that name, that carried him thither) is like to prove a Fatal Destiny to him, and to some of the rest of those gallant Adventurers which contributed for the setting forth of 13 ships more, who were most of them his kinsmen and younger brothers, being led into the said Expedition by a general conceit the world had of the wisdom of sir Walter Raleigh; and many of these are like to make shipwreck of their estates by this Voyage. Sir Walter landed at Plymouth, whence he thought to make an escape; and some say he hath tampered with his body by physic, to make him look sickly, that he may be the more pitied, and permitted to lie in his own house. Count Gondamar the Spanish ambassador speaks high language; and sending lately to desire audience of his majesty, he said he had but one word to tell him; his majesty wondering what might be delivered in one word when he came before him, he said only, 'Pirates, Pirates, Pirates,' and so departed.

It is true that he protested against this Voyage before, and that it could not be but for some predatory design: And that if it be as I hear, I fear it will go very ill with sir Walter, and that Gondamar will never give him over, till he hath his head off his shoulders; which may quickly be done, without any new Arraignment, by virtue of the old Sentence that lies still dormant against him, which he could never get off by Pardon, notwithstanding that he mainly laboured in it before he went: but his majesty could never be brought to it, for he said he would keep this as a curb to hold him

within the bounds of his commission, and the good behaviour.

Gondamar cries out, that he hath broke the sacred Peace betwixt the two kingdoms; That he hath fired and plundered Santo Thoma, a colony the Spaniards had planted with so much blood, near under the line, which made it prove such hot service unto him, and where, besides others, he lost his eldest son in the action: And could they have preserved the magazine of Tobacco only, besides other things in that town, something might have been had to countervail the charge of the Voyage. Gondamar alledgeth farther, That the enterprize of the Mine failing, he propounded to the rest of his fleet to go and intercept some of the plate Galleons, with other designs which would have drawn after them apparent acts of hostility; and so demands justice: besides other disasters which fell out upon the dashing of the first design, captain Remish, who was the main instrument for discovery of the mine, pistoled himself in a desperate mood of discontent in his cabin, in the Convertine.

This return of sir Walter Raleigh from Guiana, puts me in mind of a facetious tale I read lately in Italian (for I have a little of that language already) how Alphonso king of Naples sent a Moor, who had been his captive a long time, to Barbary, with a considerable sum of money to buy horses, and return by such a time. Now there was about the king a kind of Buffoon or jester, who had a table-book or Journal, wherein he was used to register any absurdity, or impertinence, or merry passage that happened upon the court. That day the Moor was dispatched for Barbary, the said Jester waiting upon the king at supper, the king called for his Journal, and asked what he had observed that day; thereupon he produced his Table-Book, and among other things, he read how Alphonso king of Naples had sent Beltram the Moor, who had been a long time his prisoner, to Morocco (his own country) with so many thousand crowns, to buy horses. The king asked him why he inserted that; Because, said he, I think he will never come back to be a prisoner again, and so you have lost both man and money. But if he do come, then your Jest is marred, quoth the king: 'No sir: for if he

return I will blot out your name, and put him in for a fool.' The application is easy and obvious: But the world wonders extremely, that so great a wise man as sir Walter Raleigh would return to cast himself upon so inevitable a rock, as I fear he will; and much more, that such choice men, and so great a power of ships, should all come home and do nothing."

To the Honourable Master CAR. RA.

"Sir; Whereas you seem to except against something in one letter that reflects upon sir Walter Raleigh's voyage to Guiana, because I term the gold mine he went to discover, an airy and suppositious mine, and so infer, that it toucheth his honour; truly, sir, I will deal clearly with you in that point, that I never harboured in my brain the least thought to expose to the world any thing that might prejudice, much less traduce in the least degree that could be that rare renowned knight, whose fame shall contend in longevity with this Island itself, yea, with that great World which he historiseth so gallantly. I was a youth about the town when he undertook that expedition, and I remember most men suspected that Mine then to be but an imaginary politic thing; but at his return; and missing of the enterprize, these suspicions turned in most to real beliefs that it was no other. And K. James, in that Declaration which he commanded to be printed and published afterwards, touching the circumstance of this action, (upon which my letter it grounded, and which I have still by me) terms it no less. And if we may not give faith to such public regal instruments, what shall we credit? Besides, there goes another printed kind of remonstrance annexed to that declaration, which intimates as much: and there is a worthy captain in this town, who was co-adventurer in that expedition, who upon the storming of St. Thomas, heard young Mr. Raleigh encouraging his men in these words: Come on, my noble hearts, this is the mine we come for; and they who think there is any other are fools. Add hereunto, that sir Richard Baker, in his last historical collections, intimates so much. Therefore, it was far from being any opinion broached by myself, or bottomed upon weak grounds; for I was careful of nothing more, than that those letters being to breath open air, should relate nothing but what should be derived from good fountains. And truly, sir, touching that apology of sir Walter Raleigh's you write of, I never saw it, I am very sorry I did not; for it had let in more light upon me of the carriage of that great action, and then you might have been assured, that I would have done that noble knight all the right that could be.

"But, sir, the several arguments that you urge in your Letters are of that strength, I confess, that they are able to rectify any indifferent man in this point, and induce him to believe that it was no chimera, but a real mine; for you write of divers pieces of gold brought thence by sir Walter himself, and capt. Kemys, and of some ingots that were found in the governor's closet at

St. Thomas's, with divers crucibles, and other refining instruments: yet, under favour, that might be, and the benefit not countervail the charge, for the richest mines that the king of Spain hath upon the whole continent of America, which are the mines of Potosi, yield him but six in the hundred, all expences defrayed. You write how K. James sent privately to sir Walter, being yet in the Tower, to intreat and command him, that he would impart his whole design to him under his hand, promising upon the word of a king to keep it secret; which being done accordingly by sir Walter Raleigh, that very original paper was found in the said Spanish governor's closet at St. Thomas's: whereat, as you have just cause to wonder, and admire the activeness of the Spanish agents about our court at that time, so I wonder no less at the miscarriage of some of his late majesty's ministers, who notwithstanding that he had passed his royal word to the contrary, yet they did help Count Gondomar to that paper; so that the reproach lieth more upon the English than the Spanish ministers in this particular. Whereas you alledge, that the dangerous sickness of sir Walter being arrived near the place, and the death of (that rare spark of courage) your brother, upon the first landing, with other circumstances, discouraged capt. Kemys from discovering the mine, but would reserve it for another time; I am content to give as much credit to this as any man can; as also that sir Walter, if the rest of the fleet, according to his earnest motion, had gone with him to revictual in Virginia, (a country where he had reason to be welcome unto, being of his own discovery) he had a purpose to return to Guiana the spring following to pursue his first design. I am also very willing to believe that it cost sir W. Raleigh much more to put himself in equipage for that long intended Voyage, than would have paid for his liberty, if he had gone about to purchase it for reward of money at home; though I am not ignorant that many of the co-adventurers made large contributions, and the fortunes of some of them suffer for it at this very day. But although Gondomar, as my letter mentions, calls sir Walter Pirate, I for my part am far from thinking so; because, as you give an unanswerable reason, the plundering of St. Thomas was an act done beyond the equator, where the articles of peace betwixt the two kings do not extend. Yet, under favour, though he broke not the peace, he was said to break his patent by exceeding the bounds of his commission, as the foresaid declaration relates: For K. James had made strong promises to Count Gondomar, that this fleet should commit no outrages upon the king of Spain's subjects by land, unless they began first; and I believe that was the main cause of his death, though I think if they had proceeded that way against him in a legal course of trial, he might have defended himself well enough.

"Whereas you alledge, that if that action had succeeded, and afterwards been well prosecuted, it might have brought Gondomar's

great catholic master to have been begged for at the church-doors by friars, as he was once brought in the latter end of queen Elizabeth's days: I believe it had much damnified him, and interrupted him in the possession of his West-Indies, but not brought him, under favour, to so low an ebb. I have observed, that it is an ordinary thing in your popish countries, for princes to borrow from the altar, when they are reduced to any straits; for they say, The riches of the church are to serve as anchors in time of a storm. Divers of our kings have done worse, by pawning their plate and jewels. Whereas my letter makes mention that sir W. Raleigh mainly laboured for his pardon before he went, but could not compass it; this is also a passage in the foresaid printed relation: But I could have wished with all my heart he had obtained it; for I believe, that neither the transgression of his commission, nor any thing that he did beyond the Line, could have shortened the line of his life otherwise; but in all probability we might have been happy in him to this very day, having such an heroic heart as he had, and other rare helps, by his great knowledge, for the preservation of health. I believe without any scruple what you write, that sir Wm. St. Geon made an overture to him of procuring his pardon for 1500*l*. but whether he could have effected it, I doubt a little, when he had come to negotiate it really. But I extremely wonder how that old sentence which had lain dormant above sixteen years against sir W. Raleigh, could have been made use of to take off his head afterwards, considering that the Lord Chancellor Verulam, as you write, told him positively (as sir Walter was acquainting him with that proffer of sir Wm. St. Geon for a pecuniary pardon) in these words, Sir, the knee-timber of your voyage is money; spare your purse in this particular, for upon my life you have a sufficient pardon for all that is passed already, the king having under his broad-seal made you admiral of your fleet, and given you power of the martial law over your officers and soldiers. One would think that by this royal patent, which gave him power of life and death over the king's liege people, sir W. Raleigh should become *rectus in curia*, and free from all old convictions. But, sir, to tell you the plain truth, count Gondomar at that time had a great stroke in our court, because there was more than a mere overture of a match with Spain; which makes me apt to believe, that that great wise knight being such an anti-Spaniard, was made a sacrifice to advance the matrimonial treaty. But I must needs wonder, as you justly do, that one and the same man should be condemned for being a friend to the Spaniard, (which was the ground of his first condemnation) and afterwards lose his head for being their enemy by the same sen-

tence. Touching his return, I must confess I was utterly ignorant that those two noble earls, Thomas of Arundel, and William of Pembroke, were engaged for him in this particular; nor doth the printed relation make any mention of them at all: Therefore I must say, that envy herself must pronounce that return of his, for the acquitting of his fiduciary pledges, to be a most noble act; and waving that of king Alphonso's Moor, I may more properly compare it to the act of that famous Roman commander, Regulus, as I take it, who to keep his promise and faith, returned to his enemies where he had been prisoner, though he knew he went to an inevitable death. But well did that faithless cunning knight, who betrayed sir W. Raleigh in his intended escape, being come a-shore, fall to that contemptible end, as to die a poor distracted beggar in the isle of Lundy, having for a bag of money falsified his faith, confirmed by the tie of the holy sacrament, as you write; as also before the year came about, to be found clipping the same coin in the king's own house at Whitehall, which he had received as a reward for his peridiousness; for which being condemned to be hanged, he was driven to sell himself to his shirt, to purchase his pardon of two knights.

"And now, sir, let that glorious and gallant cavalier sir W. Raleigh (who lived long enough for his own honour, though not for his country, as it was said of a Roman consul) rest quietly in his grave, and his virtues live in his posterity, as I find they do strongly, and very eminently in you. I have heard his enemies confess that he was one of the weightiest and wisest men that this island ever bred. Mr. Nath. Carpenter, a learned and judicious author, was not in the wrong when he gave this discreet character of him: 'Who hath not known or read of this prodigy of wit and fortune, sir Walter Raleigh, a man unfortunate in nothing else but in the greatness of his wit and advancement, whose eminent worth was such both in domestic policy, foreign expeditions, and discoveries in arts and literature, both practick and contemplative, that it might seem at once to conquer example and imitation!'"

See also "A Declaration of the demeanour and carriage of sir Walter Raleigh, knt. as well in his Voyage as in and since his return, and of the true Motives and Inducements which occasioned his majesty to proceed in doing justice upon him as hath been done. Printed by the kings printers in 1618;" republished, 3 Harl. Mis. 1745: and "A Brief Relation of sir Walter Raleigh's Troubles, with the taking away the Lands and Castle of Slierhourn in Dorset, from him and his heirs," 4 Harl. Mis. 57; and for farther particulars, the 2d Volume of Cayley's Life of Sir Walter Raleigh may be consulted.

APPENDIX D

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saw how this design seemed to be entertained and magnified, he entered into a very free expostulation with the earl of Clarendon about it. He said, they had felt the effects of a military government, though sober and religious, in Cromwell's army: He believed vicious and dissolute troops would be much worse: The king would grow fond of them: And they would quickly become insolent and ungovernable: And then such men as he was must be only in-

Cause. Upon this some sober men came to me, and told me, if any man in England could shew what a Commonwealth was, it was myself. Upon this persuasion I wrote; and after I had written, Oliver never answered his officers as he had done before, therefore I wrote not against the king's government. And for the law, if the law could have punished me, Oliver had done it; therefore my writing was not obnoxious to the law. After Oliver, the Parliament said they were a Commonwealth; I said they were not, and proved it: insomuch that the Parliament accounted me a Cavalier, and one that had no other design in my writing, than to bring in the king; and now the king, first of any man, makes me a Round-head.

L. These things are out of doors; if you be no plotter, the king does not reflect upon your writings.

Upon this the Commissioners rose up, and went out; but when lord Lauderdale was at the head of the stairs, I said to him, My lord, there is one thing more, you tax me with ingratitude to the king, who had suffered me to live undisturbed: truly, my lord, had I been taken right by the king, it had (by this example already given) been no more than my due. But I know well enough I have been mistaken by the king; the king therefore taking me for no friend, and yet using me not as an enemy, is such a thing as I have mentioned to all I have conversed with, as a high character of ingenuity and honour in the king's nature.

L. I am glad you have had a sense of it; and so he went down.

H. My lord, it is my duty to wait on you no farther.

struments to serve their ends. He said, he would not look on, and see the ruin of his country begun, and be silent; a white staff should not bribe him. The earl of Clarendon was persuaded he was in the right, and promised he would divert the king from any other force than what might be decent to make a shew with, and what might serve to disperse only multitudes. The earl of Southampton said, if it went no further he could bear it, but it would not be easy to fix such a number, as to our princes and not give jealousy. The earl of Clarendon persuaded the king, that it was necessary for him to carry himself with caution, till the old army should be disbanded. For, if an ill humour got among them, they knew both their courage and their patience, which the present times had for a while suppressed: Yet upon any just jealousy there might be great cause to fear new and more violent disorders. By these means the king was so wrought on, that there was no great occasion given for jealousy. The army was to be disbanded, but in such a manner, with so much respect, and so exact an account of arrears and such gratuities, that it looked rather to be the dismissing them to the next opportunity, and a reserving them till there should be occasion for their service, than a breaking of them. They were certainly the bravest, the best disciplined, and the soberest army that had been known in these latter ages: Every soldier was able to do the functions of an officer. The court was at great quiet, when they got rid of such a burden, as lay on them from the fear of such a body of men. The guards, and the new troops that were raised, were made up of such of the army as Monk recommended, and answered for. And with that his great interest at court came to a stand. He was little considered afterwards.*—See, too, 1 Macpherson, 17, 18, 19.

* Ralph, vol. 1, p. 53, gives a curious extract from a work published in 1631, by captain Yarranton (with his name in the title page) to demonstrate, that the whole accusation against the Presbyterians for being engaged in this alleged Plot of 1661, was a forgery.

210. The Trial of Sir HENRY VANE, knt. at the King's-Bench, for High-Treason: 14 CHARLES II. A. D. 1662. [Written by Himself.]

[The points of law determined in this Case are thus noticed by the Reporters of the time:

“Memorandum, That in Trinity term, 14 Car. 2, sir Hen. Vane was indicted at the King's-Bench for compassing the death of King Charles the 2nd, and intending to change the kingly government of this nation; and the overt-acts which were laid, were, that he with divers other unknown persons did meet and consult of the means to destroy the king and government; and did take upon him the go-

vernment of the forces of this nation by sea and land, and appointed colonels, captains, and officers, and the sooner to effect his wicked design, did actually in the county of Middlesex raise war. And upon his trial, he justified that what he did was by the authority of parliament, and that the king was then out of possession of the kingdom; and the parliament was then the only power regnant; and therefore, no treason could be committed against the king: and he objected,

that a levying war in Surrey could not be given in evidence to a jury in Middlesex; and he desired to offer a Bill of Exception, because these things were over-ruled by the Court; and in this case these points were resolved of by the Court.

"1. That by the death of king Charles the 1st, that long parliament was actually determined; notwithstanding the acts of parliament that it should not be dissolved but by consent of both Houses. For every parliament is called to consult with the person of the king who calleth it; and therefore upon his death it is determined; for they can no longer consult with him, for which end they were called. And a case was cited to be resolved, that where, in the 13 of queen Eliz. an act of parliament was made, that a Commission of Sewers should continue for ten years, unless the same be determined or repealed by any new commission, or by *supersedeas*, king James granted such a commission and died within that time; adjudged, that the commission was determined; for all commissions are determined by the death of the king who grants them, and this point of the actual determination of that parliament by the death of king Charles the 1st, was before that time, resolved by all the judges of England, as my lord Bridgeman told me. But note, there were no special words to continue the parliament upon the king's death.

"2. It was resolved, that the king Charles the 2nd, was *de facto* kept out of the exercise of the kingly office by traitors and rebels; yet he was king both *de facto et de jure*. And all the acts which were done to the keeping him out were high treason.*

* Mr. East observes, "the latter part of this Resolution furnishes the true ground of the judgment. Sir H. Vane was actively instrumental in preventing the king from assuming his authority. But it is a misapplication of terms to say that that prince was king *de facto* before the period of the Restoration." To be sure, if Charles the 2nd was king *de facto* during the different usurpations which intervened between his father's death and his own Restoration—while he was a wanderer, a beggar and an outcast—it seems idle to talk of any distinction between a king *de facto* and a king *de jure*. Still, however, the case is not absolutely clear, and the obscurity has not been diminished by a practice of not attending to the precise force of the terms of the stat. 11 H. 7. c. 1. which is as follows:

'The king our sovereign lord, calling to his remembrance the duty of allegiance of his subjects of this his realm, and that they by reason of the same are bound to serve their prince and sovereign lord for the time being, in his wars, for the defence of him, and the land, against every rebellion, power, and might, reared against him, and with him to enter and abide in service in battle, if case

"3. It was resolved that the very consultation and advising together of the means to destroy the king and his government, was an overt act to prove the compassing of the king's death.

so require; (2) and that for the same service, what fortune ever fall by chance in the same battle against the mind and will of the prince (as in this land some time passed hath been seen,) that it is not reasonable, but against all laws, reason, and good conscience, that the said subjects going with their sovereign lord in wars, attending upon him in his person, or being in other places by his commandment, within this land, or without, any thing should lose or forfeit, for doing their true duty and service of allegiance. (3) It be therefore ordained, enacted, and established by the King our sovereign lord, by the advice and assent of the Lords spiritual and temporal, and the Commons, in this present parliament assembled, and by authority of the same, that from henceforth no manner of person or persons, whatsoever he or they be, that attend upon the king and sovereign lord of this land for the time being, in his person, and do him true and faithful service of allegiance in the same, or be in other places by his commandment in his wars, within this land, or without, that for the said deed and true duty of allegiance, he or they be in no wise convict or attaint of High Treason, ne of other offences for that cause, by act of parliament,* or otherwise by any process of law, where by he, or any of them, shall lose or forfeit life, lands, tenements, rents, possessions, hereditaments, goods, chattels, or any other thing; but to be for that deed and service utterly discharged of any vexation, trouble, or loss. (4) And if any act or acts, or other process of the law hereafter thereupon for the same happen to be made, contrary to this ordinance, that then that act or acts, or other processes of the law, whatsoever they shall be, stand, and be utterly void. (5) Provided alway, that no person or persons shall take any benefit or advantage by this act, which shall hereafter decline from his or their said allegiance.'

* "Acts of parliament derogatory from the power of subsequent parliaments bind not. So the statute 11 Hen. 7. c. 1. which directs, that no person for assisting a king *de facto* shall be attainted of Treason by act of parliament or otherwise, is held to be good only as to common prosecutions for High Treason; but will not restrain or clog any parliamentary attainder. Because the legislature, being in truth the sovereign power, is always of equal, always of absolute authority: it acknowledges no superior upon earth, which the prior legislature must have been, if its ordinances could bind a subsequent parliament. And upon the same principle Cicero, in his letters to Atticus, treats with a proper contempt these restraining clauses, which endeavour to tie up the hands of suc-

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"4. It was resolved that in this case, the treason laid in the indictment being the compassing of the king's death, which was in the

county of Middlesex, and the levying war being laid only as one of the overt acts to prove the compassing of the king's death,

"From hence," says Hawkins, Pl. Crown, B. i. c. 17. s. 14. "it clearly follows, that one out of possession is so far from having any right to our allegiance, by virtue of any other title which he may set up against the king in being, that we are bound by the duty of our allegiance to resist him." Blackstone (1 Com. 77.) after shewing the illegitimacy and absurdity of this inference, says, "The true distinction seems to be, that the statute of Henry 7th does by no means command any opposition to a king *de jure*; but excuses the obedience paid to a king *de facto*." Now, to apply the statute to the case of Charles the 2nd, none of the acts which were done in the interval between the death of his father and his own restoration, and which were alledged to be acts of treason against him, were done in attendance upon, or allegiance to any king *for the time being*, &c. It seems, therefore, to be very clear, that none of the

ceeding legislatures. "When you repeal the 'law itself,' says he, 'you at the same time 'repeal the prohibitory clause, which guards 'against such repeal.'" Blackst. Comm. Introduction, vol. i. p. 90.

The citation of authorities to establish this doctrine might appear to be somewhat like the quotation of Seneca or Epictetus to prove the certainty of death, or the instability of fortune; for the maxim 'Leges posteriores priores contrarias abrogant' is, as Blackstone himself has observed, a general principle of universal law. Some allusions to this doctrine were made in the Parliamentary Debates, which took place in 1792, upon a bill respecting the redemption of the National Debt (stat. 32 Geo. 3. c. 55.) It may however be here noticed, that there is not in this statute any attempt to derogate from the power of future parliaments; although some of the arguments employed in those Debates, seem to have supposed that the bill contained matter of that sort. The cases which appear to give room for the most weighty arguments in support of a legal derogation from the power of future parliaments are these two: 1. That of the union of independent legislatures upon certain fundamental and essential conditions. 2. That of an oath prescribed, by act of parliament, to be taken by one or more of the branches of all future parliaments, to preserve and maintain, without alteration, any of the established laws. As to the former of these cases, see Mr. Justice Blackstone's Note, concerning the fundamental and essential conditions of the Union between England and Scotland, (Introd. to the Commentaries, p. 98.) and Bishop Warburton's Alliance between Church and State, as referred to in that Note.

* 'Cum lex abrogatur, illud ipsum abrogatur, quo non eam abrogari oporteat,' l. 3. ep. 23.

doers of those acts derived a title to impunity from the enacting words of the statute. It is asserted, that the enactment of this statute is declaratory of the common law, and the preamble of the statute seems to prove this: (for as to the authorities from Edward 4's time they are not in point; * nor, indeed, would any

* Of these the chief is the Case of sir Ralph Grey, 4 Ed. 4, cited in 1 Hale's Hist. Pl. Cr. 61, 103. from the Year-Book. This Case is thus related by Stow in his Annals, p. 417, (and an Abridgement of it is given in Selden's Titles of Honour). "The 15th of May 1464, king Henry's power being at Hexham, the lord Montacute with a power came thither, and inclosed them round about. There were taken and slain many lords that were with king Henry, but he himself was fled four days before into Lancashire, where he and others lived in caves, full hardly, unknown more than a year. On Trinity Sunday, king Edward made the lord Montacute earl of Northumberland, and warden of the Marches. The earls of Warwick and Northumberland took Bambrough Castle; and sir Ralph Grey being taken in Bambrough, for that he had sworn to be true to king Henry, was condemned, and had judgment given upon him by the earl of Worcester, High Constable of England, as followeth: 'Sir Ralph Grey, for thy treason, the king 'had ordained that thou shouldest have had thy 'spurs taken off by the hard heels, by the hand 'of the master cook, who is here ready to do 'as was promised thee, at the time that he 'put on thy spurs, and said to thee as is accustomed: That an thou be not true to thy sovereign lord, he shall smite off thy spurs with his knife, hard by the heels, and so shewed him the master cook, ready to do his office with his apron and his knife. Moreover sir Ralph Grey, the king had ordained here thou mayest see the kings of Arms and Heralds, and thine own proper coat of arms, which they should tear off thy body, and so shouldest thou as well be disgraced of thy worship nobles and arms as of thy order of knighthood. Also here is another coat of thine arms reversed, the which thou shouldest have worn on thy body, going to thy death-wards, for that belongeth to thee after the law: notwithstanding, the disgrading of knighthood, and of thine arms and nobles, the king pardoneth that, for thy noble grandfather, who suffered trouble for the king's most noble predecessors. Now sir Ralph Grey this shall be thy penance: thou shalt go on thy feet unto the town's end, and there thou shalt be laid down and drawn to a scaffold made for thee, and thou shalt have thy head smitten off, thy body to be burnt in the fires, thy head, where the king's pleasure shall be.' This judgment was pronounced at Doncaster, against the said Ralph Grey, for rebelling and keeping

though this levying of war be laid in the Indictment to be in Middlessex, yet a war levied

by him in Surry, might be given in evidence; for being not laid as the treason, but only as

decisions on the subject, arising out of the storms of long civil wars and made before the agitation produced by those storms had subsided, be of very great authority.) But still, unless (which I presume will not be contended) the words 'Prince and Sovereign Lord' have a more extensive signification than the word

of the castle of Bambrough, against king Edward."

According to the Year Book it should seem that some particular circumstances of Grey's punishment, and not his conviction and punishment generally, were owing to the perjury, treachery, and duplicity which he had exercised as well to Henry the 6th as Edward the 4th, and if this be the true construction of the book lord Hale seems to have been somewhat wrong in his understanding of it. He twice notices Grey's Case, *ubi sup.*

In the former of those places he says, "Upon the same account it is, that though there be an usurper of the crown, yet it is treason for any subject, while the usurper is in full possession of the sovereignty, to practise treason against his person; and therefore, although the true prince regain the sovereignty, yet such attempts against the usurper in compassing his death have been punished as treason, unless they were attempts made in the right of the rightful prince, or in aid or assistance of him, because of the breach of ligeance, that was temporarily due to him, that was king *de facto*; and thus it was done 4 E. 4, 9 E. 4. 1; though H. 6, was declared an usurper by act of parliament 1 E. 4, and therefore king Edward 4, punished Ralph Grey with degradation, as well as death, not only for his rebellion against himself, but also 'pur cause de son perjury et doubleness, 'qu'il avoit fait al roy H. 6.' 4 E. 4. 20."—In the latter, he says, "A king *de facto* but not *de jure*, such as were H. 4, H. 5, H. 6, R. 3, H. 7, being in the actual possession of the crown is a king within this act, so that compassing his death is treason within this law; and therefore the 4 E. 4. 20. *u.* a person that compassed the death of H. 6, was attainted for that treason in the time of the rightful king; but had it been an act of hostility in assistance of the rightful heir of the crown, which afterwards obtained, this had not been treason."

It is very surprising, that Foster, who seems to have paid much attention to this Case of sir Ralph Grey; see his *hooks* in p. 397, and the conclusion of his Advertisement prefixed to the editions, subsequent to the first, of his book) should, referring to Hale's account of the Case, express himself, as he does, in the following words.

"It is not to be imagined, that they [princes] will consider the former as traitors for acts of hostility done or attempted in aid of themselves. I verily believe no prince in his right

'King;' it does seem that this "clear and full parliamentary declaration," as Foster calls it, of the ancient law and constitution of England, founded on principles of reason, equity, and good conscience, confers not upon the doers of the before-mentioned acts any better title to impunity than they derived from the enacting part of the statute. Agreeably to this, Foster, when he sets himself to guess, "what did the Court mean by calling Charles the 2nd 'a king *de facto*?' " says, "they could not mean, what every soul before themselves understood, a king in the actual and full exercise of the regal power. They meant, I presume, as his lordship (Hale), upon another occasion," [that of a right heir who once had possession of the crown but is ousted by an usurper, see 1 Hale's P. C. 104.] "is pleased to express himself, one quasi in possession of the crown; since, during the usurpation, no other person did claim to act under the regal title."*

The same, or something very like it in effect, is, I suppose, the meaning of Hawkins (Book 1. c. 17. s. 18.) where, in order to justify or rather perhaps to account for the resolution that Charles the 2nd was king *de facto* as well as *de jure*, from his father's death, he says, "It is apparent, that no other person was in possession of any sovereign power known to our laws." See, too, what the Chief Baron says in the case of Cook the Regicide, *ante*, vol. 3. p. 1114. "That, that king Henry the 7th did, was to take care of the king *de facto* against the king *de jure*; it was for a king, and kingly government: it was not for an antimonarchical government."

senses ever did. His lordship [Hale] doth indeed in the passages just cited mention the case of sir Ralph Grey; and supposeth, that he was punished in the time of Edw. 4. for treasons committed against Henry 6. in aid of Edward. But, I doubt, that case will not warrant any such supposition."

It is observable moreover, that this gross surprising misrepresentation of Hale occurs in a discourse in the revisal and completion of which Mr. Justice Foster in his preface gives us to understand, that he spent the leisure of a long vacation; and of which he says, "that it may at least serve to guard young and inexperienced minds against some impressions, which a modest deference to the opinion of so great an author may have made upon them."

* Cromwell felt or pretended to feel the importance in this respect of the title of King. See the conference between him and Whitelocke recorded in the Memorials of the latter, under date Nov. 7, 1652. Whitelocke told the Lord General that the 11 Hen. 7. would be little regarded by their enemies if they got the upper-hand.

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the overt act to prove the compassing, it is a transitory thing which may be proved in ano-

Thus, the statute 11 H. 7. c. 1. does not seem in its enacting or declaratory parts to extend impunity to any who resist a king *de jure*, unless they do so in adherence to a king *de facto*; and this was not the case of sir Henry Vane.

Foster does not give a positive opinion for or against the right to impunity of persons who act in adherence to usurpers, not being kings, against kings *de jure*; but what he does say seems to tend very strongly in favour of such right. He forcibly urges the preamble of the statute as declaratory of the Common Law. He enforces the mutuality of the obligations of protection and allegiance: and all that he says on the grounds of reason and equity is equally applicable to all forms of usurpation. The subject, says he, "entereth not into the question of title, he hath neither leisure nor is he at liberty to enter into that question. but he seeth the fountain from whence the blessings of liberty, peace and plenty flow to him, and there he payeth his allegiance."

Blackstone, in treating of kings *de facto* and *de jure*, cautiously avoids all allusion to this case of sir Henry Vane; but upon the principle of the impunity of adherence to an usurper he is at least as strong as Foster.

"When an usurper," he tells us, "is in possession, the subject is excused and justified in obeying and giving him assistance: otherwise, under an usurpation, no man could be safe, if the lawful prince had a right to hang him for obedience to the powers in being, as the usurper would certainly do for disobedience. Nay farther, as the mass of people are imperfect judges of title, of which in all cases possession is *prima facie* evidence, the law compels no man to yield obedience to that prince, whose right is by want of possession rendered uncertain and disputable; till providence shall think fit to interpose in his favour, and decide the ambiguous claim: and therefore, till he is entitled to such allegiance by possession, no treason can be committed against him."

It may be said, that as by the common law, England is a *kingdom*, the law can never recognise any other sovereign power than that of a king (agreeably to the expression in Hawkins, *ubi sup.*) But as this objection is obvious, so likewise is an answer to it. England is not only a kingdom, but it is a kingdom descendible according to certain rules. If, for the purpose of giving effect to the fundamental principles of reason, equity, and good conscience, the law can contemplate and provide for a violation of the constitutional descent of the sovereign power, it surely may in like manner and for the same purpose contemplate and provide for a violation of the constitutional forms of administering the sovereign power.

See, too, on this matter, Marten's Speech, *ante*, vol. 5. p. 1202.

It is to be hoped that to Englishmen this

ther county. But if an Indictment be for levying war, and that made the treason for

subject will never again possess any other source of interest than its curiosity. Perhaps therefore, this note should have been spared. It shall now (after referring the reader to Hawkins and Blackstone, *ubi sup.* 1 Hale's H. P. C. 61, 102, and the elaborate discussion in Foster's fourth Discourse, and recommending to his consideration the effect ascribed by Hawkins and Foster to the Resolution that Charles the 2nd had been king *de facto*) be concluded in Foster's words.

"Sir Henry Vane's was a very singular case, and the transactions in which he bore a part happened in a conjuncture of affairs which never did exist before, and, I hope, never will again; an usurpation founded in the dissolution of the ancient legal government, and the total subversion of the constitution.

"I will therefore say nothing to the merits of the question, more than that the rule, laid down by the court, involved in the guilt of treason every man in the kingdom who had acted in a public station under a government possessed in fact for twelve years together of sovereign power; but under various forms at different times, as the enthusiasm of the herd or the ambition of their leaders dictated.

"L. C. J. Hale, when of high rank at the bar, took the engagement, (*ante*, v. 5. p. 211) 'To be true and faithful to the Commonwealth of England without a King or House of Lords.' This, in the sense of those who imposed it, was plainly an engagement for abolishing kingly government, at least for supporting the abolition of it: and with regard to those who took it, it might, upon the principles of sir Henry Vane's case, have been easily improved into an overt-act of treason against king Charles 2."

[This Engagement was, to be true and faithful to the Commonwealth of England, as it is now established without King or house of Lords. See Whitelocke under date June 1649. It is remarkable, that of the "Act for subscribing the Engagement, 2 January, 1649-50," nothing but the title is inserted in Scobell's Acts and Ordinances. On the 23d of February following, farther time was given for subscribing the Engagement. On the 19th of Jan. 1653-4, shortly after the assumption by Cromwell of the Protectorate, the Acts and Resolves of Parliament for taking the Engagement were repealed by an act, which recites, That "many general and promissory oaths and engagements in former times imposed upon the people of this nation have proved burthens and snares to tender consciences." Whitelocke, under date Jan. 22, 1649-50, says, "The taking of the Engagement sticks most with the Presbyterians, who pretend conscience to oppose it, but the Cavaliers in policy subscribe it."

It appears that Chief Justice Vaughn was more scrupulous than Hale. The son of the former in his preface to his father's Reports tells us, that

which the party is indicted, in that case it is local, and must be laid in the county where in truth it was."

"From the year 1611, in which he retired from the parliament, until the year 1660, in which God blessed us with the Restoration of our present king, he did in a manner quit his profession: for in that time he never received a fee from any person whatever, nor could be prevailed with to appear in any court, although exceedingly importuned to it by such as had a desire to make use of his abilities: and the reason I have heard him assign for it, was, 'That it was the duty of an honest man to decline, as far as in him lay, owning jurisdictions that derived their authority from any power, but their lawful prince.'"

"This Mr. East says must be understood to mean, 'that after proof of an overt act in the county in which the treason is laid, evidence may be given of any other overt acts, of the same species of treason in other counties.' Mr. East makes a question (upon the authority as it seems of the MS. compilation, which he cites by the title of MS. Sum. and of which he gives an account at the end of the preface to his own work), whether the distinction laid down in this 4th Resolution, between levying war when laid as the treason, and levying war when laid only as the overt act to prove the compassing, and whether the position that treason in levying war is local, can be right: and he cites the cases of Dammaree and others, (A. D. 1710, *post.*) where in an indictment for levying war in Middlesex, acts done in London were given in evidence, and the case of Deacon (A. D. 1746, *infra.* and Foster 9,) where in an indictment for levying war in Cumberland, evidence of acts done in other counties was objected to, but it was held by Mr. Justice Abney and Mr. Justice Foster, 'that it was indeed necessary that some overt act laid, be proved on the prisoner in Cumberland, but that being done, acts of treason tending to prove the overt acts laid, though done in a foreign county,' (perhaps it should rather be that acts of treason though done in a foreign county, tending to prove the overt acts laid,) 'may be given in evidence.' On this point it is said, that Lord Chief Justice Willes declined giving any opinion. But as to this (see the Case *infra.*) Mr. Justice Foster in his Reports adds, That no objection was made during the whole course of the trials, to the giving evidence of overt acts in a county different from that where the fact was laid; an overt act having been first proved in the proper county. And that sort of evidence was given in almost all the trials. In A. D. 1695, sir William Parkyns was indicted (see the Case, *infra.*) for compassing, &c. the king's death, and all the overt acts were laid in Middlesex. On the trial evidence being given of a conversation in Hertfordshire the prisoner submitted, whether words spoken in Hertfordshire, could be evidence of a treason acted in Middlesex. By

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"5. It was resolved, that the stat. of W. 2. c. 31, which giveth the Bill of Exception, extends only to civil causes, and not to criminal; the words of the stat. are, 'Cum aliquis implacitatur coram aliquibus Justiciariis,' &c. And the intention never was to give such persons liberty to put in Bills of Exception, for then there would be no trials of that nature ever dispatched in any time, neither here nor in the Circuits, if every frivolous exception which a prisoner would make, should be drawn up in a Bill of Exception;

Holt, Chief Justice; "If there be a design to kill the king, and there are several overt acts to prove that design, and one is in one county and another is in another county, the party may be indicted in either of the counties, and evidence may be given of both those overt acts though in several counties. It is true you being indicted in Middlesex, makes it necessary that some evidence should be given of some things done in Middlesex, as there is, as your meeting at Mrs. Mountjoy's, and at the Nag's Head in Covent Garden, and the Sun in the Strand, where there were several consults, which are overt acts of the same treason. And if treason be committed in several counties, the party may be indicted in any one, and the evidence may be given of facts done in all."

See the Case of Whitbread and others, (A. D. 1679, *infra.*) Gavan one of the prisoners observed, 'I am accused by one witness concerning one fact, and by another concerning another; the one committed here at London, the other in Staffordshire; I desire, therefore, to know, whether the witness that swears the thing done in Staffordshire, and the other witness, that swears what was done in London, can be esteemed two witnesses, according to the law, to convict me of treason?—L. C. J. North. Yes, I'll tell you, if it were a matter of doubt, it might be found specially, and be argued, but it is a matter that hath been already resolved in the case of sir Henry Vane at the King's-bench bar, who was indicted for levying of war against the king; and there one witness proved the levying of war in one county, and the other proved the levying of war in another county; and so, though they were but single witnesses of single facts, yet being both came up to the indictment, they were adjudged sufficient to maintain it. So it is in your case, here is one witness for the proving your hand to the paper which was for the murder of the king, and there is another witness of your discourse to the same purpose; the fact is your joining and conspiring to destroy the king, and to levy war against him, and both these are proved to the full of the indictment by these witnesses; and though they are to several particular facts, yet they are all overt acts of the same treason.—Gavan. My lord, I have a contrary opinion to that in Serjeant Rolls.—L. C. J. North. But this is a known case, and the law is settled therein.'

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besides, the Court is always so far of counsel with the prisoner as to see that he hath right,* and if they find any thing doubtful, they of themselves will take time to advise: but the words of the stat. are plain, as the Court agreed, as to this point.

"6. Although the treason of compassing the king's death was laid in the Indictment to be the 30th of May, 11 Car. 2, yet upon the evidence it appeared, that sir Hen. Vane, the very day the late king was murdered, did sit in council for the ordering of the forces of the nation against the king that now is, and so continued on all along until a little before the king's coming in. It was resolved, that the day laid in the Indictment is not material, and the jury are not bound to find him guilty that day, but may find the treason to be as it was in truth either before or after the time laid in the Indictment: as it is resolved in *Syer's Case*, Co. Pl. Coron' 230. And accordingly in this case the jury found sir H. Vane guilty of the treason in the Indictment the 30th of January; 1 Car. 2, which was from the very day the late king was murdered, and so all his forfeitures relate to that time to avoid all conveyances and settlements made by him.

"7. Memorandum, That in this case of sir H. Vane, he being to be tried at the King's Bench bar, before he came to his trial, it was considered by myself, and others then of the king's council, that it was possible that he might challenge peremptorily, and so defeat his trial at that day, at which it was appointed, if there should be only 24 jurors returned.

"And thereupon, search was made in the crown office, and it did appear, that in trials on the crown side for criminals, the sheriff might be commanded to return any number the Court pleased: and accordingly, at his trial the sheriff returned about 60 of the jury; and at common law in civil causes, it seems the sheriff might have returned about 24 if he pleased; and therefore by the stat. W. 2, c. 38, it is recited, that whereas the sheriffs were used to summon an unreasonable multitude of jurors to the grievance of the people; it is ordained that from thenceforth, in one assize, no more shall be summoned than 24, which stat. extends not to jurors, returned for trial of criminal persons; the like may be done upon a commission of Oyer and Terminer.†" Kelyng.

* See a Note to the Case of Don Pantaleon Sa, vol. 5, p. 466, and a Note to the Case of Twyn and others, A. D. 1663, *infra*.

† By the Statute of Westm. 2. 13 E. 1, c. 31, it is enacted: "When one impleaded before any of the justices, alledges an exception, praying they will allow it, and if they will not, if he that alledges the exception writes the same and requires that the justices will put to their seals, the justices shall do so; and if one will not, another shall; and if, upon complaint made of the justice, the king cause the record

"He being excepted out of the general pardon, was indicted of High Treason committed before the king's restoration; and after that the Indictment was read, he desired it might be read again, which was done; but then he desired it might be read in Latin, which was denied, it being never done. Then he desired a copy thereof, and counsel, which was denied: but the court said, that if he took any legal exception, he should have a copy of so much thereof as concerned the exception, and counsel to argue it. And then being tried and found guilty, and being brought to the bar at a day afterwards, he tendered a bill of exceptions, which the court refused to accept; for a bill of exceptions does not lie in criminal cases, but only in actions between party and party. And he was afterwards executed on Towerhill by beheading only." Levinz.

"V. et L. fueront indict per several indictments de haut Treason pur compassing le mort del roy et endenvouring pur subvert et alter les leys de cest realme, et, ceo fuit suppose destre fait anno xj. hujus regis et apres (quel fuit durant le temps de Long Parliament et committee del safety, sc. quant ils de facto imprent sur eux le government de ceux roialms) le roy esteant ouster le mere, et fueront trove culp per several juries icy all barr, et al auter jour quant fueront demand que ils poent dire pur que sentence de haut Treason ne serra passe sureux sir H. Vane oufer several matters pur stay ceo sur que le court done leur resolution come ensuist.

"1. Que coment indictments sont escry en Latin uncore ne serra lie al prisoner forsque in Anglois si le prisoner aprend Anglois ou in tiel language le quel il aprend, car est le matter de ceo et nemy le forme a que il doit doner resp.* Et in auter pays les prisoner nont que verbal charge vers eux. Nota al request des prisoners chescun de leur indict-

to come before him, and the exception be not found in the roll, and the plaintiff shew the written exception, with the seal of the justice thereto put, the justice shall be commanded to appear at a certain day, either to confess or deny his seal, and if he cannot deny his seal, they shall proceed to judgment according to the exception, as it ought to be allowed or disallowed." These Bills of Exceptions are to be tendered before a verdict given, 2 Inst. 427; and extend only to civil actions, not to criminal. Sid. 85, 1 Salk. 288. 1 Lev. 68. But in 1 Leon. 5, it was allowed in an indictment for trespass; and in 1 Vent. 366, in an information in nature of a Quo Warranto.

* Ralph, vol. i. p. 72, takes notice, that there is a seeming inconsistency in the contents of this first Resolution. "The Indictment," says Blackstone, "is to be read to the prisoner distinctly in the English tongue (which was law, even while all other proceedings were in Latin) that he may fully understand his charge." 4 Comm. 323.

ments fuit lie deux foits a eux devant que ils plead a cen.*

"2. Que tiels prisoners naver coppies de leur indictments ne counsel si non que ils monstre matter in ley, et donque ils aver coppie de tant de leur indictments que concern tiel matter, et nemy de tous leur indictments.

"3. Que le Statute de West. 2. cap. 31. que done bill de exceptions ne extend al ascun case lou prisoners sont indict al suit del roy car lestatute intend de remedy le overruling de evidence en civil pleas perenter et party et party solement.

"4. Que les prisoners ne poent offer ascun chose pur stay le judgment forsque matters que surge sur le indictment et nemy matters de hors come icy V. voil aver fait scil. que le roy fuit adonque roy de jure tantum et nemy de facto. Et pur ceo que il ne poit estre indict pur treason adonque fait vers luy (Vide Baggot's Ass. 9 E. 4....) Et le long parliament fuit ne continuant, &c. Sed le court luy silence pur eux matters, et proceed al sentence, et mesme le jour L. ad judgment, auxy done vers luy.

"Et 3. jours apres sir H. Vane fuit execute sur le Tower hill pur severing son test de son corps, et ceo per le grace del roy, et l'execution de L. fuit respit." Syderfin.

"Vane was indicted, That intending to bring the king to death, he had compassed the same by endeavouring to change the government; and to fulfil such intent, 11 Car. 2, had assembled (30 May, 1659,) with others to consult of, and had usurped the government; as also by regulating the forces of the nation then raised against the king; and that (20 Dec. An. prædict.) had been in the head of 1,000 persons armed. The prisoner desired to hear the indictment read in Latin, which the Court refused, 36 Ed. 3, being that the records must be entered in Latin, but discussed in English, and the indictment was read twice in English,* which was conceived more than usual. 2. He excepted, That the indictment doth not pursue 25 Ed. 3, 2, no particular acts of levying war having been charged certainly, by reason it wants place, which was mistaken.

"2. Lambert was indicted for levying war at the same time, he pleaded, that the Commons had excepted him only as to pain, not extending to life, which the Lords refused, and for expedient, the proclamation was made for persons to come in, which the Lords now have comprised him in, which was a full consent of the two Houses to save his life. And pursuant to this, the letter by the king to the Commons, to whom he left it to make provision; and thus the consent of the three estates concurred in his pardon, nothing that is essential to a law, but is in this particular. Sir Jeffery Palmer, king's attorney, conceived

this as a petition of the two Houses to the king, and his grant of their desires: But this being not under seal, cannot be pleaded, but is an inducement to the king's pardon, which the Court agreed.

"He was indicted for sitting, with others, to consult the king's destruction, and to get the government to themselves, 30 May, 1659. The attorney general, Palmer, began with evidence from the treaty of the Isle of Wight, 1648, after with the acts made against kingly government, and management of votes of the council of state for the navy, until 1653. And after in 1659, sitting in the committee of state and managing the land forces, issuing warrants for them: And in the committee of the council for government, he contrived the alteration of government, and raised the opinion that the people had made trustees, and that these were unalterable; all which, with procuring arms for his own regiment, amounting to a levying war actually. Sir Henry urged, That no person in being then claimed the kingly government, but all things were done in the name of the Commonwealth, and so matter of law might thereon arise; which the court conceived would not, being not material, notwithstanding, 3 Inst. 7, by sir Henry is meant of a king in possession; but by Maynard, the king's serjeant, which Windham agreed, there must be a king regnant, there being no interregnum in law: But by sir Henry they may be said kings that have the authority. Finch conceived this the old priest, Watson's doctrine, who thought to oppose king James, being not actually in possession, was no treason; and this was of their own doing, who only usurped the name of a parliament; And had it been so, yet that is no sanctuary for treason, but this Court may try them; which the Court agreed. 2. Sir Henry urged also, that the parliament in being 13 Aug. 1642, was not dissolved by the king's death; the act 13 Car. 2, cap. 1, § 3 of preservation of the king's person, mentioning only that it is thereby dissolved, and the equality of the three estates in sovereignty is that which makes it political, as Fortescue: And for this end Deut. 17, kings were constituted. Finch Solicitor, the king cannot give away that prerogative of culling and dissolving parliaments, 4 Car. Thursday against and they are undoubtedly determined by his death: As commission of sewers, appointed by 13 Eliz. 9, not to end in 10 years; he doubted not, but parliaments may commit treason, if an unjust thing of them may be presumed contrary to their allegiance and customs of parliament: The contrary doctrine followeth from a venomous principle of co-ordination, which is against the oath of allegiance: for if men in parliament will speak desperate things, it is not to be privileged by parliament: And the king's being out of possession is but an aggravation of the treason. Windham, I see no colour, why by being conti-

* This Case was cited in Sidney's Case by Jefferies, Chief Justice, M. 35 Car' 2. B. R. and the book brought into court. 1 Kcb. 37.

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nued longer than usual, they should have more power than another parliament, which is but the king's council: And though it is not to be dissolved, but by another act, yet by the king's death it is determined in fact, as marriage enacted not to be divorced till another act, yet it is done by death; and betwixt king and parliament is a like conjunction. And had an army in the life of king Charles the 1st, forced and packed any of the parliament, it had been a suspension of a parliament till it might resort again to its freedom, as is the law of all nations. Twisden *ad idem*, it had been without question, had not the act been made that it should not be dissolved, which word is not extendable to a discontinuance; so it saith, no act done or to be done shall dissolve it, his death is no such act; Mallet and Foster *ad idem*, it was only to treat 'nobiscum,' which is meant in the king's political and personal capacity, and so determined by his death, whereby those capacities were severed, which to do, or suppose, by any other, is the greatest treason, the law making no such distinction: but 'eo instante,' that one dieth the other is king. Either House may commit treason, though the parliament, viz. king, lords, and commons cannot. Twisden rebuked the abominable distinction of the king's capacity; and 'per Curiam,' the endeavouring to keep the king out, though he be not in possession, is treason; and counsel, by Twisden, is not to be allowed in things that tend to subvert fundamentals, as Story's Case.

"Sir Henry cited Westm. 2, cap. 31, that he ought to have a bill of exception sealed by the Court, and the indictment to that end read in Latin, which the Court denied, as a thing unreasonable, the statute not extending to any indictment, by Glyn the king's serjeant, for this is no supersedeas; but that judgment and execution may be had notwithstanding, and so this would be to no purpose, and no gaol-delivery would ever be if it should be allowed. But by sir Henry Vane, the parliament have declared that execution should be remitted in case judgment passeth: which petition of the houses, and grant of the king, were read. Windham, Did the prisoner not understand English, it ought to be read in Latin; but no copy of the indictment was ever delivered in Latin or English. Twisden, as the rest, delivered his opinion, that a bill of exception is not within the statute, nor ever heard of; and at common law this bill lieth in no case. The chief justice having given judgment, declared that the petition of the houses, was not to be allowed by the king, in case the prisoner were obstinate, as he had been in broaching ill documents and fundamentals, 2. Lambert excepted to the indictment that he was named without addition, which was mistaken. And so the court gave judgment, and declared him more capable of the benefit of the houses petition than sir Henry

Vane, by his fair carriage: And sir Henry Vane soon after was beheaded on Tower-hill, and Lambert sent to Gersey." Keble.

Of this Case of sir Henry Vane some consideration was had in the controversy which was excited by lord Russell's Case, A. D. 1683. See the different articles subjoined to his Trial in this Collection. See also a Note to the Case of Anderton, A. D. 1693, *infra*.]

SIR Henry Vane being committed for High Treason, had prepared the following Argument for his Defence, before he knew how the Indictment would be laid.

His intended Argument.

The Offence objected against me, is levying War, within the Statute 25 Ed. 3. and by consequence, a most high and great failure in the duty which the subject, according to the laws of England, stands obliged to perform, in relation to the Imperial crown and Sovereign power of England.

The crime, if it prove any, must needs be very great, considering the circumstances with which it hath been accompanied: for it relates to, and takes in a series of public action, of above 20 years continuance. It took its rise and had its root in the being, authority, judgment, resolutions, votes, and orders of a parliament, and that, a parliament not only authorized and commissioned in the ordinary and customary way, by his majesty's writ of summons, and the peoples election and deputation, subject to adjournment, discontinuance, and dissolution, at the king's will; but which, by express act of parliament, was constituted in its continuance and exercise of its power, free from that subjection, and made therein wholly to depend upon their own will to be declared in an act of parliament, to be passed for that purpose, when they should see cause. To speak plainly and clearly in this matter; That which is endeavoured to be made a crime and an offence of such an high nature in my person, is no other than the necessary and unavoidable actings of the representative body of the kingdom, for the preservation of the good people thereof in their allegiance and duty to God and his law, as also from the imminent dangers and destruction threatened them, from God's and their own enemies.

This made both Houses in their Remonstrance, May 26, 1642, protest, if the malignant spirits about the king should ever force or necessitate them to defend their religion, the kingdom, the privileges of parliament, and the rights and liberties of the subjects, with their swords; the blood and destruction that should ensue thereupon, must be wholly cast upon their account, God and their own consciences telling them, that they were clear; and would not doubt, but that God and the whole world would clear them therein.*

In his majesty's Answer to the Declaration

* See 2 Cobb. Parl. Hist. 1297.

of the two Houses, May 19, 1642, he acknowledgeth his going into the House of Commons to demand the five members, was an error.* And that was it, which gave the parliament the first cause to put themselves in a posture of defence, by their own power and authority, in commanding the Trained-Bands of the City of London to guard and secure them from violence, in the discharge of their trust and duty, as the two Houses of Parliament appointed by act, to continue, as above-mentioned.

The next cause was, his majesty's raising Forces at York, (under pretence of a guard) expressed in the humble Petition of the Lords and Commons, May 23, 1642,† wherein they beseech his majesty to disband all such forces, and desist from any further designs of that nature, otherwise they should hold themselves bound in duty towards God, and the trust reposed in them by the people, and the fundamental laws and constitutions of this kingdom, to employ their care and utmost power to secure the parliament, and preserve the peace and quiet of the kingdom.

May 20, 1642, The two Houses of parliament gave their judgment, in these votes. 1. "That it appears, that the king (seduced by wicked counsels) intends to make war against the parliament, who in all their consultations and actions have proposed no other end to themselves but the care of his kingdoms, and the performance of all duty and loyalty to his person. 2. That whensoever the king maketh war upon the parliament, it is a breach of trust reposed in him by his people, contrary to his oath, and tending to the dissolution of this government. 3. That whosoever shall serve or assist him in such wars, are traitors by the fundamental laws of this kingdom, and have been so adjudged by two acts of parliament, and ought to suffer as traitors."

Die Jovis, Octob. 8, 1642,‡ in the Instructions agreed upon by the Lords and Commons about the Militia, they declare, "That the king (seduced by wicked counsel) hath raised War against the parliament, and other his good subjects."

And by the Judgment and Resolution of both Houses, bearing date Aug. 13, 1642, upon occasion of his majesty's Proclamation for suppressing the present Rebellion, under the command of Robert earl of Essex, they do unanimously publish and declare, "That all they who have advised, declared, abetted, or countenanced, or hereafter shall abet and countenance the said Proclamation, are traitors and enemies to God, the king and kingdom, and guilty of the highest degree of treason that can be committed against the king and kingdom, as that which invites his majesty's subjects to destroy his parliament, and good people, by a civil war; and by that means, to bring ruin, confusion, and perpetual slavery upon the surviving part of a then wretched kingdom."

* See 2 Cobb. Parl. Hist. p. 1280.

† Ibid, p. 1242.

‡ Ibid. p. 1241.

The Law is acknowledged by the king, to be the only Rule, by which the people can be justly governed; and that, as it is his duty, so it shall be his perpetual, vigilant care, to see to it: therefore he will not suffer either or both Houses by their votes, without or against his consent, to enjoin any thing that is forbidden by the law, or to forbid any thing that is enjoined by the law.

The king does assert in his Answer to the Houses' Petition, May 23, 1642, "That he is a part of the parliament, which they take upon them to defend and secure; and that his prerogative is a part of, and a defence to the laws of the land."

In the Remonstrance of both Houses, (May 26, 1642) they do assert; "that if they have made any precedents this parliament they have made them for posterity, upon the same or better grounds of reason and law, than those were, upon which their predecessors made any for them; and do say that as some precedent, ought not to be rules for them to follow, so none can be limits to bound their proceedings, which may and must vary, according to the different condition of times." And for the particulars with which they were charged, of setting forth Declarations to the people who have chosen and intrusted them with all that is dearest to them, if there be no example for it in former times, They say, "it is because there never were such monsters before, that attempted to disaffect the people towards a parliament."

They further say; "His majesty's towns are no more his care than his kingdom, nor his kingdom than his people, who are not so his own that he hath absolute power over them, or in them, as in his proper goods and estate; but fiduciary, for the kingdom, and in the paramount right of the kingdom. They also acknowledge the law to be the safeguard and custody of all public and private interests. They also hold it fit, to declare unto the kingdom, (whose honour and interest is so much concerned in it) what is the privilege of the great council of parliament, herein; and what is the obligation that lies upon the kings of this realm, as to the passing such bills as are offered to them by both Houses, in the name, and for the good of the whole kingdom, whereunto they stand engaged, both in Conscience and Justice to give their royal assent."

First, In Conscience; in respect of the Oath that is, or ought to be taken by them at their coronation, as well to confirm by their royal assent all such good laws as the people shall chuse, (whereby to remedy such inconveniences as the kingdom may suffer) as to keep and protect the laws already in being. The form of the Oath is upon record, and asserted by Books of good authority. Unto it relation is had, 25 Ed. 3, entitled, "The Statute of Provisors of Benefices."

Hereupon, the said Commons prayed our said lord the king, (saith the right of the crown of England, and the law of the said realm, is such, that upon the mischiefs and damages

which happen to this realm, he ought and is bound by his oath, with the accord of his people in parliament, to make remedy and law, for the removing thereof) That it may please him to ordain remedy.

This right thus claimed by the Lords and Commons, the king doth not deny, in his Answer thereunto.

Secondly, In Justice the kings are obliged as well as in Conscience, in respect of the trust reposed in them, to preserve the kingdom by the making of new laws, where there shall be need, as well as by observing of laws already made; a kingdom being many times as much exposed to ruin for want of a new law, as by the violation of those that are in being.

This is a most clear right, not to be denied, but to be as due from his majesty to his people, as his protection. In all laws framed by both houses, as Petitions of Right, they have taken themselves to be so far judges of the rights claimed by them, That when the king's Answer hath not been in every point fully according to their desire, they have still insisted upon their claim, and never given it over, till the Answer hath been according to their demand, as was done in the late Petition of Right 3 Caroli*.

This shews, the two houses of parliament are judge between the king and people in question of right, as in the case also of Ship Money† and other illegal taxes; and if so, why should they not also be judge in the cases of the common good and necessity of the kingdom, wherein the kingdom hath as clear a right to have the benefit and remedy of the law, as in any other matter, saving pardon and grants of favour?

The Malignant party, are they, that not only neglect and despise, but labour to undermine the law, under colour of maintaining it. They endeavour to destroy the fountain and conservators of the law, the Parliament. They make other judges of the law, than what the law hath appointed. They set up other rules for themselves to walk by, than such as are according to law; and dispense with the subjects obedience, to that which the law calls authority, and to their determinations and resolutions, to whom the judgment doth appertain by law: Yea, though but private persons, they make the law to be their rule, according to their own understanding only, contrary to the judgment of those that are the competent judges thereof.

The king asserts, That the act of sir John Hotham was levying war against the king, by the letter of the statute 25 Ed. 3, cap. 2.

The Houses state the case, and deny it to be within that statute; saying, If the letter of that statute be thought to import this; That no war can be levied against the king, but what is directed and intended against his person; Or, that every levying of forces for the defence of the king's authority, and of his kingdom, against the personal commands of the king, opposed

thereunto, (though accompanied with his presence) is treason or levying war against the king; Such interpretation is very far from the sense of that statute, and so much the statute itself speaks, besides the authority of Book-Cases. For if the clause of levying war had been meant only against the king's person, what need had there been thereof, after the other branch in the same statute, of compassing the king's death, which would necessarily have implied this? And because the former doth imply this, it seems not at all to be intended, at least, not chiefly in the latter branch, but the levying war against his laws and authority; and such a levying war, though not against his person, is a levying war against the king; whereas the levying of force against his personal commands, though accompanied with his presence, and not against his laws and authority, but in the maintenance thereof, is no levying of war against the king, but for him, especially in a time of so many successive plots and designs of force against the parliament and kingdom, of probable invasion from abroad, and of so great distance and alienation of his majesty's affections from his parliament and people, and of the particular danger of the place and magazine of Hull, of which the two Houses sitting, are the most proper judges.

In proclaiming sir John Hotham, Traitor, they say, The breach of the privilege of parliament was very clear, and the subversion of the subjects common right. For though the privileges of parliament extend not to these cases, mentioned in the Declaration of Treason, Felony, and breach of the peace, so as to exempt the members of parliament from punishment, or from all manner of process and trial, yet it doth privilege them in the way and method of their trial and punishment, and that the parliament should first have the cause brought before them, that they may judge of the fact, and of the grounds of their accusation, and how far forth the manner of their trial may or may not concern the privilege of parliament; otherwise, under this pretext, the privilege of parliament in this matter, may be so essentially broken, as thereby the very being of parliaments may be destroyed. Neither doth the sitting of a parliament, suspend all or any law, in maintaining that law, which upholds the privilege of parliament, which upholds the parliament, which upholds the kingdom.

They further assert; That in some sense, they acknowledge the king to be the only person, against whom treason can be committed, that is, as he is king, and that treason which is against the kingdom, is more against the king, than that which is against his person, because he is king; for treason is not treason, as it is against him as a man, but as a man that is a king, and as he hath, and stands in that relation to the kingdom, intrusted with the kingdom, and discharging that trust.

They also avow, That there can be no competent judge of this or any the like case, but a Parliament; and do say, that if the wicked

* See 2 Cobbett's Parl. Hist. 374.

† See No. 147, vol. 3, p. 825 of this Collection.

counsel about the king could master this parliament by force, they would hold up the same power to deprive us of all parliaments, which are the ground and pillar of the subject's liberty, and that which only maketh England a free monarchy.

The Orders of the two Houses carry in them law for their limits, and the safety of the land for their end. This makes them not doubt but all his majesty's good subjects will yield obedience to his majesty's authority, signified therein by both Houses of Parliament: for whose encouragement, and that they may know their duty in matters of that nature, and upon how sure a ground they go, that follow the judgment of parliament for their guide; They alledge the true meaning and ground of that statute, 11 Hen. 7, cap. 1, printed at large in his majesty's Message, May 4; This statute provides, that none that attend upon the king and do him true service, shall be attainted, or forfeit any thing.—What was the scope of this Statute?

Ans. To provide, that men should not suffer as traitors, for serving the king in his wars according to the duty of their allegiance. But if this had been all, it had been a very needless and ridiculous Statute. Was it then intended (as they seem to make it, that print it with his majesty's Message) that those should be free from all crime and penalty, that should follow the king and serve him in war, in any case whatsoever, whether it was for or against the kingdom, or the laws thereof? That cannot be; for that could not stand with the duty of their allegiance, which in the beginning of this Statute, is expressed to be, 'to serve the king for the time being in his wars, for the defence of him and the land.' If therefore it be against the land, (as it must be, if it be against the parliament, the representative body of the kingdom) it is a declining from the duty of allegiance, which this statute supposes may be done, though men should follow the king's person in the war. Otherwise, there had been no need of such a Proviso in the end of the Statute, that none should take benefit thereby, that should decline from their allegiance.

That therefore which is the principal verb in this, is, 'the serving of the king for the time being,' which cannot be meant of a Perkin Warbeck, or any that should cull himself king, but such a one, as (whatever his title might prove, either in himself or in his ancestors) should be received and acknowledged for such, by the kingdom, the consent whereof cannot be discerned but by parliament; the act whereof is the act of the whole kingdom, by the personal suffrage of the peers, and the delegate consent of the Commons of England. Hen. 7th therefore, a wise prince, to clear this matter of contest, happening between kings *de facto* and kings *de jure*, procured this Statute to be made, 'That none shall be accounted a traitor for serving in his wars, the king for the time being;' that is, for the present allowed and received by the parliament in behalf of the kingdom. And as it is truly suggested in the

preamble of the Statute; it is not agreeable to reason or conscience that it should be otherwise, seeing men should be put upon an impossibility of knowing their duty, if the judgment of the highest court should not be a rule to guide them. And if the judgment thereof is to be followed, when the Question is, Who is king? much more, when the Question is, What is the best service of the king and kingdom? Those therefore that shall guide themselves by the judgment of parliament, ought (whatever happen) to be secure and free from all account and penalties, upon the ground and equity of this Statute.

To make the parliament countenancers of treason, they say, is enough to have dissolved all the bands of service and confidence between his majesty and his parliament, of whom the law says, a dishonourable thing ought not to be imagined.

This conclusion then is a clear result from what hath been argued; That in all cases of such difficulty and unusualness, happening by the over-ruling providence of God, as render it impossible for the subject to know his duty by any known law or certain rule extant, his relying then upon the judgment and reason of the whole realm, declared by their representative body in parliament, then sitting, and adhering thereto, and pursuing thereof, (though the same afterwards be by succeeding parliaments, judged erroneous, factious and unjust) is most agreeable to right reason and good conscience; and in so doing, all persons are to be free and secure from all account and penalties not only upon the ground and equity of that Statute, 11 Hen. 7. but according to all rules of justice, natural or moral.

Afterwards, in Easter Term, Sir Henry Vane was indicted of High-Treason, before the Middlesex Grand-Jury; and the Bill being found by them, he was upon Monday the 2nd of June in Trinity Term, arraigned to this effect;

'That you, as a false Traitor against his most excellent majesty king Charles the 2nd, your supreme and natural lord, not having the fear of God before your eyes, and withdrawing that your duty and allegiance, which a true subject ought to have and bear to our said liege and sovereign lord, the 13th of May, in the 11th year of our said sovereign lord the king, at the parish of St. Martin in the Fields, in the county of Middlesex, did compass and imagine* the death of our said sovereign lord the king, and the ancient frame of government of this realm totally to subvert, and keep out our said sovereign lord from the exercise of his regal government. And the same the better to effect, the said sir Henry Vane, the said 13th day of May, in the said 11th year, &c. at St. Martin's aforesaid, together with other false Traitors, to the jurors unknown, did traitorously and maliciously as-

* See the Note to the Case of the Regicides, ante, vol. 5, p. 972.

semble and sit together, and then and there consulted to bring the king unto destruction, and to hold him out from the exercise of his regal authority, and then and there usurped the government, and appointed officers, to wit, colonels and captains of a certain army, raised against the king; against the peace of our sovereign lord the king, his crown and dignity, and contrary to the form of the statute in that case made and provided. And the better to effect this, the 20th of December, in the said 11th year, with a multitude, to the number of a thousand persons, to the jurors unknown, in warlike manner assembled, and arrayed with guns, trumpets, drums, &c. did levy war against the peace, &c. and contrary to the form of a statute.*

Which being read, he prayed to have it read a second time, which was granted him. He then prayed to have it read in Latin, which all the court denied,* and Keeling the king's Serjeant said, That though all pleas and entries are set down on record in Latin, yet the agitations of causes in court, ought to be in English.

The prisoner moved several exceptions to the Indictment, as that the 25 E. 3. is not pursued: that he had levied no such force as amounted to a levying of war; Also the place in which persons with whom, are both uncertain; and the particular acts of levying war being not set forth, he thought therefore the indictment was insufficient. Also he said, Here is a long time of action for which I am charged, and I may be concerned for what I acted as a member in that Sovereign Court of Parliament, and if any thing concerns the jurisdiction of that court, I ought not to be judged here. At which the Court and King's Counsel took great offence.

He said also, There hath been an Act of general Pardon since that time, whereby all treasons are put in utter oblivion; and though sir Henry Vane were excepted, yet none consent that he was that sir Henry Vane. But the King's Counsel said, If he would plead that plea, they would join that issue with him, if he pleased; which, if it should be found against him, it would be too late to plead not guilty.

But the Court said, In favour of life a man may plead a double plea, and give in his exception, and plead over to the felony or treason Not-guilty.

But as to the exceptions taken to the Indictment, they give little heed to them, but pressed him to plead or confess.

Whereupon he pleaded Not Guilty; and had four days, to wit till Friday next, for his trial.

*In Charnock's Case, A. D. 1696, *infra*, at the prisoner's request the Indictment in Latin was read over to him twice. See the Case *infra*. After Vane's conviction the King's counsel consented that the Indictment in Latin might be read to him. G

Memorandums for and towards my Defence.

Upon hearing the Indictment read, and before Pleading.

First, to lay before the court the impossibility that he humbly conceives is already in view, as to the having any such indifferent and equal trial, as the law intends him, and doth require and command on the behalf of all the free people of England. The rise for this conception he takes from what hath been already done in relation to the prisoner himself, unheard, unexamined and yet kept close prisoner for near two whole years. This he shall leave to the judgment of the court, after that he hath made known the particulars thereof unto them, as necessary to precede the thing demanded of him, in pleading Guilty, or Not Guilty.

Secondly, what is the indifferency which the law requires and appoints throughout, as well in matters that go before the trial, as in the proceedings at the trial itself.

Before the trial, and in the first step to it, which is the keeping and securing his person, Magna Charta is clear, and gives this rule, cap. 29. 'Nullus liber homo capiatur,' &c. 'No Freeman shall be taken or imprisoned, or be disseised of his freehold or liberties, or free customs, or be outlawed or exiled, or any other-wise destroyed; Nor we will not pass upon him, nor condemn him, but by lawful judgment of his Peers, or by the law of the land; We will sell to no man, we will not deny or defer to any man either justice or right.'

Out of this Chapter, as out of a root (saith Sir Edward Coke) do many fruitful branches of the law of England spring. It contains nine branches; some whereof I shall insist upon in my case.

First, That no man be taken or imprisoned but *per legem terræ*, that is, by the common law or custom of England; which words *per legem terræ*, though put last, refer to all the precedent branches.

Secondly, The goods of any offender cannot regularly be taken and seized to the king's use before conviction, nor be inventoried, nor the town charged therewith, before the owner be indicted of record.

Thirdly, no man shall be exiled or banished out of his country, nor be in any sort destroyed but by the verdict of his Peers.

This appears by Bracton and other ancient writers, quoted by Coke, in the third part of his Institutes, fol. 228.

Upon the whole matter, saith Coke, These two conclusions are manifestly proved. 1. That before Indictment, the goods or other things of any offender cannot be searched, inventoried or in any sort seized, nor after indictment, seized, removed, or taken away, before conviction or attainder. 2dly, That the begging of the goods or estate of any delinquent, accused or indicted of any treason, felony, or other offence before he be convicted and attainted, is utterly unlawful; Stat. Ri. 1, cap. 3.

And besides, it maketh the prosecution against the delinquent, more precipitant, violent and undue, than the quiet and equal proceeding of the law and justice would permit: Or else, by some underhand agreement, stops or binders the due course of justice, and discourageth both judge, juror and witness to do their duty.

3rdly, The Judges are not to give so much as their opinion before hand, concerning the offence, whether it prove that offence in that case.

Coke in the chapter of Petty-Treason, fol. 29, expressly saith; 'And to the end the trial may be the more indifferent, seeing the safety of the prisoner consists in the indifferency of the court, the judges ought not to deliver their opinions before hand, of any criminal case that may come before them judicially.' And he there cites Humphrey Stafford's case, that arch-traitor, in which Hussey, Chief Justice, besought Hen. 7, not to demand of them their opinions before hand. And in the 4th of his Institutes in the chapter of the high court of parliament, fol. 37, he fully shews the evil of asking the judges opinions before hand.

But instead of this, The judges being assistant in the Lords' House, when all acts of parliament pass and whose advice is taken in them (as appears by what is declared in the said acts) prejudged by their opinions and the opinions of the parliament before hand, the merit of the cause that now appears to be put upon the issue in my trial. Hereby the Judges are rendered *ex parte*, and the indifferency the law requires, impossible to be afforded.

Nor is this all; but by the rules declared in the Act of Indemnity, all are disabled to plead, or make use of the ordinances, orders and votes of both, or either Houses of parliament, that may have occasion thereof: and then by excepting the prisoner and his fellows out of the said act, and all benefit thereby, a door is left open to arraign, bring to trial and sentence the whole cause from the beginning to the ending, in the person of the prisoner, and at the same time, deprive him of all means and possibility of justification and defence.

4thly, It is observable how early hard measure appeared in the way wherein the prisoner became excepted out of the Act of Indemnity, when the Commons his proper judges, declared him in their thoughts, not fit to be endangered in the point of life; yet under the judgment of the Lords, (that ought not to judge commoners, unbrought before them by the Commons, much less, in opposite judgment to the Commons) the Commons were necessitated to yield, lest otherwise the Act of Indemnity to the whole nation should stop upon this dispute and essential difference between the two houses; a competition, easily over-ruled; although (as it proves by the sequel) that Act of Indemnity is like to become *jelo de se*, or a destroyer of itself, if your lordships shall conceive yourselves at liberty, (notwithstanding that act) not only to bring anew into memory

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upon the stage, the state of all the passed differences, from first to last, but to try and judge the merit of them in my person, and therein call in question the validity of that whole act, and make void the benefit intended by it, in case the war undertaken and managed by both or either of the houses of parliament be judged unlawful, and within the statute of 25 Edw. 3. For this adjudges all the people of England morally guilty of the evil of a sin and offence against the law of nature, which once done, whatever promised indemnity be granted for the present, the evil of the action remains upon record; not only to the infamy of the whole people of England, but their future danger, upon pretence they have forfeited the very indemnity granted.

5thly, The length of time taken to search out matter against the prisoner, and the undue practices and courses to find out witnesses, do further evidence how unlike the prisoner is to have an equal and indifferent trial. He doubts not, this will appear in his two years close imprisonment, (six months whereof was banishment) during which time, he was never so much as once examined, or had any question put to him, whereby he might conjecture wherefore he was committed to prison, any further than was expressed in the warrants of commitments.

Now these were so general, that nothing certain or particular could be gathered out of them. But upon the received opinion, that he was excepted out of the act of indemnity, and in the sense of both houses a great delinquent, his estate was attempted to be inventoried, his rentals demanded, his rents were actually seized in the tenants hands, and they forbidden to pay them. His very courts were prohibited by officers of great personages, claiming the grant of the estate, and threatening his officers from doing their duty. By these kind of undue proceedings the prisoner had not wherewithal to maintain himself in prison; and his debts to the value of above 10,000*l.* were undischarged, either principal or interest. The hopes of private lucre and profit hereby, was such in the tenants and other persons, sought out for far and near, to be witnesses, that it is no wonder at last something by way of charge comes to be exhibited.

And as this is the case of the person before his appearance at this bar, with respect to the foresaid unequal proceedings towards him, and the great disadvantages put upon him, and all these, as it were, in a continued series of design; so, the matters and things themselves with which it now appears he is charged in the indictment, make his case still very extraordinary and unusual, involving him in difficulties that are insuperable, unless God's own immediate power do shew itself in working his deliverance.

The things done, are for many years past, in a time of differences between king and parliament, and wars ensuing thereupon. Many extraordinary changes and revolutions in the state and government were necessitated in the

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course of God's providence, for wise and holy ends of his above the reach of human wisdom.

The authority by which they are done, is prejudged. The Orders, Votes and Resolutions of parliament are made useless, and forbidden to be produced. Hereby, all manner of defence is taken away from the prisoner; and that which was done according to law, as the laws of those times were, is endeavoured to be made unlawful, and so the persons, acting according to such laws, are brought to punishment.

The Judges (as hath been shewed) are forestalled in their judgments, by the declared sense of parliaments, given *ex post facto*. The jurors are put upon difficulties never known before, for twelve commoners to judge the actions of all the Commons of England, in whom they are included, as to whose judgment is the right, the one or the other's; and whether their representatives be trusty.

The party indicted is under an incapacity to bring witnesses, as well from the nature of the place wherein the things were done, within the walls of the house, as from the shortness of time, having heard nothing of his charge, and being kept a close prisoner, to the last day. His solicitors and persons employed in his law-business, were also restrained from him.

It is also most evident, that the matters for which he is questioned, being the product of so many years agitations of parliamentary councils and arms, cannot be of a single concern, nor be reputed as the actions of a private man, done of his own head, nor therefore come within any of the six classes of Treason, contained in 25 Ed. 3.

It is a case most unusual, and never happening before in this kingdom; yet it is alledged in the Indictment to be a levying war within that statute, and so comes to have the name of High-Treason put upon it, thereby (if possible) to deprive him of the use and benefit of counsel, as also of competent time to prepare for his Defence, and all fitting and requisite means for the clearing of his innocency. Unto this, unless some remedy be afforded by the justice, candor and favour of this Court, it may be better for the prisoner (for ought he yet knows) to be immediately destroyed by special command (if nothing else will satisfy) within any form of law, as one to whom quarter, after at least two years cool blood, is thought fit to be denied in relation to the late wars. This may seem better, than under a colour and form of justice, to pretend to give him the benefit of the law and the king's courts, whose part it is, to set free the innocent, upon an equal and indifferent trial had before them, if their cause will bear it: but it is very visible beforehand, that all possible means of defence are taken and withheld from him, and laws are made *ex post facto*, to forejudge the merit of the cause, the party being unheard.

And when he hath said all this, that as a rational man does occur to him, and is fit for him to represent in all humility to the court, he

craves leave further to add; That he stands at this bar not only as a man, and a man clothed with the privileges of the most sovereign court, but as a Christian, that hath faith and reliance in God, through whose gracious and wise appointment he is brought into these circumstances, and unto this place at this time, whose will he desires to be found resigned up into, as well in what he now calls him to suffer, as in what he hath called him formerly to act, for the good of his country, and of the people of God in it. Upon this bottom (he blesses the name of his God) he is fearless, and knows the issue will be good, whatever it prove. God's strength may appear in the prisoner's weakness; and the more all things carry the face of certain ruin and destruction unto all that is near and dear to him in this world, the more will divine deliverance and salvation appear; to the making good of that Scripture, 'That he that is content to lose his life in God's cause and way, shall save it, and he that instead thereof goes about to save his life upon undue terms, shall lose it.'

Far be it therefore from me, to have knowingly, maliciously or wittingly offended the law, rightly understood and asserted; much less, to have done any thing that is *malum per se*, or that is morally evil. This is that I allow not as I am a man, and what I desire with steadfastness to resist, as I am a Christian. If I can judge any thing of my own case, The true reason of the present difficulties and straits I am in, is because I have desired to walk by a just and righteous rule in all my actions, and not to serve the lusts and passions of men, but had rather die, than wittingly and deliberately sin against God and transgress his holy laws, or prefer my own private interest before the good of the whole community I relate unto, in the kingdom where the lot of my residence is cast.

Friday, June 6, 1662.

On this day, the Sheriff returned forty-eight freeholders of the county of Middlesex. After thirty-two were challenged by the prisoner, he had a jury of twelve men sworn; to wit, sir William Roberts, jun. sir Christopher Abdy, John Stone, Henry Carter, John Leech, Daniel Cole, Daniel Browne, Thomas Chelsain, Thomas Pitts, Thomas Upman, Andrew Bent, and William Smith.

Attorney General. (Sir Geoffrey Palmer.) The Indictment is, 'For traitorously imagining and intending, &c. the death of the king.' This very imagination and compassing, &c. is treason. Yet inasmuch as the intentions of the heart are secret, the law cannot take notice of them, till they are declared by Overt-Act. Therefore we shall give in evidence, That for accomplishing of these intentions, the prisoner sat with others in several Councils, or rather confederacies, incroached the government, levied forces, appointed officers, and at last levied open and actual war, in the head of a regiment. If any of these crimes be proved, it is sufficient to make him guilty within this

indictment. And the open levying of war, and appearing in the head of a regiment, is not only a treason of itself, but an evidence of all those other treasons he stands charged with in the Indictment.

These things happening before the Act of Oblivion, you will take notice of that act; and that the prisoner being excepted by name from the benefit of that pardon, though he be chargeable for any crime of treason since the beginning of the late war, yet we shall confine the facts of which we charge him, to the reign of his now majesty.

After the House had voted the late king's Concessions in the Isle of Wight to be a good Ground for Peace, many of the members were kept out by force, others turned out; the peers laid aside, and at last the king murdered. The first thing then that we shall lay to the charge of the prisoner, is, That that very day wherein that horrid act was committed, we find his hand and seal to a Warrant to the officers of the navy to issue out stores for a Summer's Guard of the Narrow Seas. This was the first day of the reign of his now majesty. And so he enumerated all the particulars which he intended to charge him with, and proved them, as followeth,

1. The Warrant of the 30th of Jan. 1649 was proved to be the hand of sir Henry Vane by Thomas Lewis and Thomas Turner, as they believe; neither of them affirming that they saw him write it, but knowing his hand, believed it to be so.

2. Ralph Darnel, an Under-Clerk of the House of Commons, proved the Journal-Book of the House, and said, though he will not take upon him to say when sir Henry Vane was there, and when he was absent, yet he said positively, That at what time soever he is set down in the Journal, to have acted or reported any thing, he was there. In which book Febr. 7, 1649, fol. 653, was the Order to set up a Council of State.

Fol. 684, Feb. 13. where the Instructions presented to the House, upon which the Council of State was to act.

1. The first was, 'That you, or any four or more, are to suppress all and every person and persons pretending title to the kingly government of this nation, from or by the late king; Charles Stuart, his son; or any claiming from or by them or either of them, or any other single person whatsoever.'

This the Attorney said, was in the first part of that Instruction, to destroy the king's person, and in the second part, the kingly government.

2. That you, &c. are appointed to direct the forces of this commonwealth, for the preventing and suppressing of tumults and insurrections at home, or invasions from abroad; and for these ends to raise forces, &c.

3. That Feb. 14, 1649. fol. 695. Sir Henry Vane was chosen a member of the Council

of State, and acted upon these Instructions: which they proved thus; to wit, 1. That Sir Henry Vane, as fol. 893, 23rd of March 1649, reported from the Council of State, an Estimate of the Number of Ships for the Summer's Guard of the Narrow Seas. 2. March 30, 1649, Sir Henry Vane reports from the Council of State, That 10,000*l*. Parcel of the 20,000*l*. assessed upon South-Wales for their delinquency, be allowed towards the setting out of this Fleet, for the service of the parliament; which was ordered accordingly, and to be paid to sir Henry Vane, as Treasurer of the Navy. 3. That Sir Henry Vane usually sat in Council; but this deponent being never admitted to go in after the Council was sat, proves that he often saw him go in at the fore-door and back-door, and often continue there all the time the Council was sitting.

William Dobbins and Matthew Lock say, That they several times saw sir Henry Vane sit in a Committee of the Council, in the years 1651 and 1652, which consisted only of members of the council; and particularly at the Committee for Scottish and Irish Affairs, where sir Henry Vane was often in the chair, and produced several orders of that Committee.

Fourthly, Feb. 12, 1649, a new Council of State was chosen, of which sir Henry Vane was one: fol. 720.

Feb. 13, 1649. All the Instructions of the former year were read and assented to.

Feb. 22, 1649, (fol. 760.) Sir Henry Vane reported the Form of an Oath of Secrecy to be administered to every of the members of the Council; which was, to keep all things which should be transacted in Council secret, and to be true and faithful to their Instructions: which the Attorney said (since their first Instructions was, to suppress all persons pretending title from the king) was in effect an oath of abjuration.

Fifthly, Anno 1651, sir Henry Vane was President of the Council of State, and several Warrants were produced, to wit, May 20, 1652, and May 22, 1652, to deliver to Major Wigan 200 Firelocks and ten Drums. The other, for the delivery of 500 Foot-Arms, for Recruit of Colonel Ingoldsby's regiment: and these were subscribed, 'By order of the Council, H. Vane President.'

April 2, 1653. A Warrant of that date was produced by the Commissioners of the Navy, of which he was one, for furnishing out the Hampshire frigate with provisions and ammunition for the use of the state.

From this time to 1659, they charge him with nothing; and then the Journal-Book was produced, and attested by Ralph Darnel, wherein, May 7, 1659, an Order was made for appointing a Committee of Safety, (whereof sir Henry Vane was one) 'That they, or any four or more of them, should take care of the Safety of this Commonwealth, and they to sit for eight days and no longer:' fol. 36.

May 13, 1659. Sir Henry Vane reported, That they had conferred with all the Foreign

* See 3 Cobb. Parl Hist. 1288.

† Ibid, 1290.

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Ambassadors: that the Commonwealth is in amity with all foreign princes, but Spain.

Resolved, That Ch. Fleetwood, J. Lambert, J. Desborough, James Berry, Arthur Haslerig, Edmond Ludlow, and sir Henry Vane, be Commissioners to nominate commission-officers for the army of this Commonwealth. By virtue hereof, they proceeded, June 17, 1659, to nominate commission-officers, appointed Robert Mosse a colonel, presenting a list of his commission officers; and John Mason to be governor of Jersey.

May 31, fol. 158. Sir Henry Vane reports concerning Affairs between the two northern kings in the Sound, wherein the Affairs of this Commonwealth are concerned.

Sept. 2, 1659. At the Committee of State at Whitehall: an Order was produced for the re-delivery of the City-horses to their respective owners, signed H. Vane, President.

A Warrant was produced under the hand of sir Henry Vane, proved by Thomas Lewis and one Falconer, for so many hangers to col. Thompson, as he shall require for his regiment.

Three several Letters, to deliver 1,200 Arms for the use of my regiment; to wit, to Sam. Linn, my captain-lieutenant, 30 arms for my company; to major Thomas Shurman, major of my regiment, 4 or 5 barrels of powder.

Then one *Marsh* was produced a witness, who proves, That sir Henry Vane proposed the new Model of Government, Whitlocke being in the chair, in these particulars:

"1. That the Supreme Power, delegated by the people to their trustees, ought to be, in some fundamentals, not dispensed with.

"2. That it is destructive to the people's liberties (to which by God's blessing they are restored) to admit any earthly king or single person, to the legislative or executive power over this nation.

"3. That the Supreme Power delegated, is not entrusted to the peoples trustees, to erect matters of faith or worship, so as to exercise compulsion therein."

Thomas Pury proves, That he was at the debating of the two last of these Propositions, and believes they were proposed to the chairman Whitlocke by sir Henry Vane: but affirms confidently, that sir Henry Vane gave reasons to maintain them.

Tho. Wallis produced, proves sir Henry Vane and col. Rich in the head of a company in Winchester Park in Southwark; and that the captain lieut. Linn said to the soldiers, That sir Henry Vane had given them five pounds to drink; that the said Linn sent home a key to his wife to send him four pounds out of his trunk, to give the soldiers.

John Cook deposeth, That he was sent to the Horseshoe-Stairs to meet sir Henry Vane and col. Rich, and that sir Henry Vane delivered five pounds to capt. Linn to reward the soldiers. This was all the Evidence given by the king's counsel: to which sir Henry Vane

was required to make his Defence, and to go through with his case all at once, and not to reply again upon the king's counsel, who resolved to have the last word to the jury.

Sir Henry Vane. Coke, in his Pleas of the Crown, fol. 6, saith, King is to be understood of a King regnant, and in actual possession of a crown, and not of a king when he is only *rex de jure*, and out of possession. Now an interregnum is confessed by the Indictment: all ensigns of authority, and badges of government, were visibly in another name and stile; the king's best friends suing, and being sued, in another name.

The Court told him, he should first make his case out in point of fact, and it would be then seasonable to stand upon matter of law; for (say they) it is a good rule, *in facto jus oritur*, and enjoined him to call his witnesses, if he had any.

To which sir Henry Vane desired process of court to summon them, and a further time to answer the charge. But it was told him, the Jury were to be kept without meat, drink, fire or candle, till their verdict was delivered in; and therefore that could not be granted. He then cited the fourth part of Coke's Institutes concerning the privilege of parliament, and that many of these things being transacted there—

The Court here interrupted him, and said, If the things charged were done, justify them; if not, disprove them. So he went to give answer to the fact.

And as to the first Warrant, Jan. 30, 1648-9, he said, That his hand had been oftentimes counterfeited, and amongst other occasions, for two great sums, to the value of 10,000*l.*: and that he had great reason to believe, that this warrant was forged, and produced two witnesses to prove it.

Then said Justice *Windham*: It may be your hand may have been forged for receiving of money, but it is not to be conjectured, that it should be forged to set ships to sea; and directed to the Jury to consider of the circumstances.

Sir Henry Vane. Neither of the witnesses ever saw me set my hand to either of these Warrants or Orders; nor doth one witness prove that he ever saw me sit in the Council of State. He further said, That he absented from the House from December 3, 1648, till February 7. That he was chosen a member of the Council of State without his consent and knowledge; and being demanded to take an oath of approbation of what had been done to the late king, he refused, and caused it to be expunged; That these actings in council, (if any were) were by authority of a parliament, of a parliament constituted in an extraordinary manner, made indissoluble but by act of parliament. He insisted much on the preamble of that act, so as that parliament being co-ordinate with the king, (for the government was in the king and the two houses) whatever he

acted by them or their authority cannot be treason within the statute of 25 Ed. 3.

He cited an Ordinance of parliament in 1042, and said, That he hoped these things had been laid asleep by the Act of Oblivion; and if they should now rise in judgment against him, he feared they would shake that security which the people promised themselves under that act. But if he should be now called in question for those things which were transacted in that parliament, of which he was a member, he shall have the comfort and peace of those actions to support him in his greatest sufferings. He added, That if he were excepted, then must he be judged for the crime of the whole nation, and that crime must be ravelled into through him: that the case is such as never yet fell out, to wit, that the government being intrusted to three estates, they should so fall out among themselves, as the people cannot tell which to obey; that where these great changes fall out, it is not possible for any man to proceed according to all formalities of law; that there was a political power by this act of 17 Caroli co-ordinate with the king; and where these powers are not in conjunction, but in enmity to each other, no Court inferior to the parliament, by whose authority these things were acted, ought to be judges of this case, which certainly never happened before.

He farther saith, He was not the first mover in these actions, and that he should be called in question for these matters by a king that was out of possession at a time when these things were acted, would be inconvenient, to say no more; that when the three estates were disjoined, he thought it the best policy to preserve the government in its root, to wit, the Commons; by whom it was preserved, and at last restored to its former course: that as to the regiment that passed under his name, he disowned it; That reports of Messages are not the fault of the reporter; for his judgment does not always go along with them, but he is bound to deliver his message; That he always loved the government as it is set forth in our ancient law-books; and that that parliament (so much decried) at last restored affairs to the posture in which they now are.

As to the Warrants signed by him, he said, they appear to be signed in the name, and by the Order of the Council; and his hand that subscribes, is not so much as active or passive to the commands of the council. If the council, who commanded the signing were unwarrantable, the parliament who appointed the council must be much more unwarrantable.

And here he offered these points to be considered and prayed earnestly to have counsel assigned him to speak to them.*

1. Whether the collective body of the parliament can be impeached of High Treason?

* See a Note to the Case of Don Pantaleon So, ante. vol. 5, p. 456, and a Note to the Case of Twyn, Brewster, Doon and Brooks A. D. 1663. post.

2. Whether any person acting by authority of parliament, can (so long as he acteth by that authority) commit treason?

3. Whether matters acted by that authority, can be called in question in an inferior court?

4. Whether a king *de jure*, and out of possession, can have treason committed against him, he not being king *de facto*, and in actual possession? and prayed it might be argued by counsel.

5. Whether matters done in Southwark, in another county, may be given in evidence to a Middlesex jury?

As to the last Exception, the Court said, That he was indicted for compassing and imagining the king's death in Middlesex; and any Overt-Act to prove this imagination, may be given in evidence, wheresoever it be acted. To which sir Henry Vane prayed the benefit of a bill of exception, upon the statute of Westminster 2. cap. 31. and prayed that the justices might seal it; which they all refused, and held, it lay not in any case of the crown.

The King's Counsel desired he might call his witnesses, (if any he had) for if they once came to reply to him, he must then be silent; and consented, that (if it would aid him) they would allow his actings to be in the name and by the authority of the council of state; and the actings of the council of state to be by authority of what he called a parliament.

Sir Henry Vane replied, Then what I acted in the Council of State, and Committee of Safety, constituted by the parliament to endure for eight days, you will allow me; then you must prove that I ever acted in the other Council of State, after the parliament was turned out.

Then the King's Counsel produced a Warrant, dated November 3, 1659, which was sent in pursuance of an Order of the Committee of Safety, by sir Henry Vane, as Treasurer of the Navy. This Warrant was for the sending of divers arms Northwards after Mr. Lambert who was gone down to oppose the now duke of Albemarle.—Sir Henry Vane produced William Angel, Brisco, Middleton, &c. officers of that regiment which went under his name; who having recourse unto him for orders about October 1659, he had them desist, and declared his dissatisfaction in their proceedings; and this, after their several importunities to have orders from him. And thus he closed his Defence.

Solicitor Finch. As to pretence of the Power of Parliament, it is to be known, that it was not the eighth part of the House of Commons; such as were let in to do all that hath been complained, and acting under authority of such an end of a parliament, under such a violation, was no excuse, but an aggravation; but that the parliament was in law ended by the death of the late king, notwithstanding that act of 17 Caroli primi, appears thus;—The king's writ for a parliament is *ad tractandum nobiscum*; which is intended as well of

the natural capacity of the king, as of his politic. 2. It is absurd to say, that the acts of Parliament of king Charles the first, should be his acts in the time of king Charles the second. 3. A Commission of Sewers, enacted to be on foot for ten years, expires by the death of the king, and the authority of the commissioners is at an end. 4. It is not possible for one king to impose a parliament upon a successor. So much for his acting by colour of authority of parliament.—And as to the question, Whether an House of Parliament can commit Treason, If they depart from that allegiance which they have sworn at their first meeting, they are impeachable for it. As to a co-ordination in the parliament, he denied it.—As to the question, Whether the king being out of actual possession, can have treason committed against him? he affirmed it, and said, otherwise, if rebellion should be so prosperous as to depose or oppress the king in battle, the offenders are not to be called in question, because they prevailed. He said it was the plea of Watson the Jesuit, who being indicted for compassing the death of king James in Scotland, after he was declared king of England, and before his actual entering into this realm, made this defence, that the king was never in possession of the crown.

Justice Windham. As to the act of 17 Caroli, and the preamble of that act, so much insisted on by the prisoner; 1. He held, that the parliament had not greater authority by it, but was only made more durable than other parliaments have been; but he held, that the parliament was absolutely dissolved by the death of the king; and put this case: if it should be enacted that such a marriage should continue till it was dissolved by act of parliament; if one dies, it is a determination of it in fact, so as no man can say but it is absolutely dissolved. 2. It must continue in the degree and dignity of a parliament. If the House be under a force, and some kept out, some let in, to serve a turn, whatever they act is a nullity in law. For freedom is the principal essence and honour of a parliament; yet though the House be under a force, the House is not dissolved by such force, but the proceedings are to be suspended, till it acquire its former liberty; and this as well by the common law, as by the civil and canon laws of all other countries. 3. The parliament is the king's great council, the peers are *concilarii nati*, if they be forced away, or laid aside, as here they were, all the rest is but *magni nominis umbra*.

Twisden held the same opinion, That it is not the sitting of a few members within those walls, that will continue it a parliament: and though another parliament, a great many years after the king's death, declared it to be at an end; yet that act was but declaration, it was at an end before. Whether a parliament may commit treason, is not the question; but whether a few of the House shutting out their fellows, and usurping the government, were not traitors?

Forster held the same opinion, and said, The distinction between the politic and natural capacity of the king, was the treason of the two Spencers: that privilege of the parliament is no shelter for breach of the peace, much less for treason.

Twisden added, That to compass the death of the king as a natural person, was treason; to compass his death in his political capacity, as to depose him, was treason; and both provided for by the act of 25 Edw. 3. That in the same instant the late king expired, in the very same his now majesty was king *de facto*; and affirmed the cases of Watson and Clark, 1 Jac. If an army be raised against the king, and the king is slain in the battle, this treason is questionable by the Successor, as Storie's case is in Dyer. 298. b.*

Thus ended the Questions of law proposed.

The Solicitor spake after to the jury concerning the fact, which after they withdrew to consider, and being withdrawn about half an hour, returned with their verdict; which being delivered by the foreman, in the name of his fellows, with their consent found the prisoner Guilty of High Treason from Jan. 30, 1648-9.

They not only found him Guilty according to the Indictment, which was laid for what the prisoner did, 1659; but for a long series of High Treason, as they reckon, from Jan. 30, 1643-9.

A true Copy of the Prisoner's own Papers containing the Substance of what he pleaded on the said day of his Trial, June 6.

That without any seeking of mine, I was chosen by writ under the great seal, to serve as burgess for the town of Kingston upon Hull, in the parliament that sat down on the 3rd of November, 1640, and having in pursuance thereof taken my seat in the said parliament, I was obliged by law to give my attendance upon the said trust, as well as upon grounds of duty and conscience.

The said parliament was not only called and assembled after the usual manner, and had the power and privileges incident to that high court, but was by express statute and consent of the three estates so constituted, as to its continuance, adjournment, prorogation and dissolution, that in none of these particulars they were subject to alteration, but by their own common assent, declared by act of parliament, to be passed by themselves for that purpose, with the royal assent.

In the Preamble to the Act for Continuance of the said Parliament, these words are contained: "Whereas great sums of money must of necessity be speedily advanced and provided for the relief of his majesty's army and people in the northern parts of this realm, and for preventing the imminent danger this kingdom is in; and for supply of his majesty's

* See vol. 1. p. 1087, of this Collection.

present and urgent occasions, which cannot be so timely effected as is requisite, without credit for raising the said monies; which credit cannot be obtained until such obstacles be first removed, as are occasioned by fears, jealousies and apprehensions of divers his majesty's loyal subjects; That this present parliament may be adjourned, prorogued or dissolved, before justice shall be duly executed upon delinquents, and public grievances redressed, a firm peace between the two nations of England and Scotland concluded, and before sufficient provision be made for the repayment of the said monies so to be raised, &c." By all which the very work that was between the three estates agreed to be done for the good and safety of the kingdom, was in sundry particulars declared and expressed; and not only so, but as is acknowledged by the late king himself in his Answer to the Nineteen Propositions; the power which thereby was legally placed in both Houses, was more than sufficient to prevent and restrain tyranny.

So that, by what hath been shewed, the law itself is with me, and for me, enjoining my continued attendance on the trust which by this means was committed to me, and authorised me in particular to effect the things contained in the said preamble; and to act in all matters belonging to the high court of parliament, for the good and safety of the kingdom in time of imminent danger: I had been liable to great punishment by the law, for disattendance and deserting my station therein, till lawfully or by force dismissed therefrom; and this, whatever occasions others might have, by a voluntary or forced departure from attendance upon that trust.

The actions therefore done by me in this capacity, and according to the law, privileges, customs and power of parliament, and that such a one as was thus extraordinarily constituted, neither are nor can be brought within the statute of 25 Edw. 3, c. 2, nor are to be questioned, tried, much less judged and sentenced, in any inferior court. Nay, so far is it from this, that by a declaration and resolution of parliament, August 13, 1642, it is adjudged to be committing Treason in the highest degree, to bring both or either Houses of Parliament under that or suchlike imputations.

Nor, till of late, have I ever heard but that those who took the judgment of parliament for their rule and guide; (however tortuous or erroneous it might afterwards be accounted in succeeding times) and they that acted by and under the countenance of their declared judgments, orders or ordinances, ever acknowledged binding during the sitting of the parliament, were safe and indemnified from all punishment. And for government-sake itself, it is requisite it should be so; because none are judges of the power and privileges of parliament but themselves. For admit once that their judgment may be called in question, and disputed by private persons, or by inferior courts, whose votes are included in theirs, the

fundamentals of government are plucked up by the roots. 'Par in pares non habet imperium, multo minus in eos qui majus imperium habent.' An equal has no command over his equal, much less over those that have a greater command or authority.

His late majesty, in his Answer to the Nineteen Propositions, does very briefly and exactly state the nature and kind of government that is exercised in this kingdom, saying, "The laws of this kingdom are made by a King, a House of Peers, and a House of Commons, chosen by the People, all having free votes, and particular privilege. These three estates making one incorporate body, are they, in whom the sovereignty and supreme power is placed, as to the making and repealing of laws: And the government, according to these laws, is trusted to the king, who in the interval of parliament is sole in the exercise of government, which, the parliament sitting, he is to exercise in conjunction with the two Houses."

And his said majesty asserting three sorts of government, Absolute Monarchy, Aristocracy and Democracy, does most rightly distinguish the Monarchy of England from all those three, and commends the constitution of this kingdom, as it is a mixture of all three, having the conveniences of them all without the inconveniences of any one, as long as the balance hangs even between the three estates, that they run jointly on in their proper channels, and that the overflowing of either on either side, raise no deluge nor inundation.

By the passing of the aforesaid act for the continuance of the fore-mentioned parliament, the intervals of parliament were no longer, as before, at the will and pleasure of the king; but the power to continue in the said parliament, without adjournment, prorogation or dissolution, resided in the two Houses with the king jointly, and in none of them severally: so that in effect the government of the kingdom, during the continuance of that parliament, was in conjunction of the three estates, and in their common consents and agreements among themselves given in parliament; the assembling and meeting whereof was appointed and fixed to a place certain, by law.

By reason hereof, it is not the attendance of any of the members in parliament (for discharge of the trust reposed in them, confirmed and enlarged by the said act) that is faulty or censurable by the law, but those that unwarrantably depart and desert that their trust and station, are to be blamed; 6 Hen. 8, 16.

The king in conjunction with the parliament, is *maximè Rex*, and is supported in the throne and exercise of his regal power by the joint concurrence of both Houses. And because, as his late majesty well observed, the happiness and good of the constitution of this government lies in keeping the balance even between the three estates, containing themselves within the bounds of their proper channels, therefore in attempts of either to overflow those bounds, they being co-ordinate, the office of a parlia-

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ment is by the very fundamental constitution of the government, to keep this balance well poised. And to that end, as was before mentioned, his majesty's own words are, in his said Answer to the Nineteen Propositions; 'That there was legally placed in both Houses, a power more than sufficient to prevent and restrain the power of tyranny.' If so, then are they the legal judges, when there is danger of tyranny; and have legal power to require their judgment and resolves to be obeyed, not only when arms are actually raised against them, but when they discern and accordingly declare a preparation towards it; else they may find it too late to prevent the power of tyranny: There is no greater attempt of tyranny, than to arm against the parliament; and there is no visible way for the restraining such tyranny, but by raising arms in their own and the kingdom's defence. Less than this is not sufficient, and therefore far from more than sufficient for the punishment of delinquents, and restraint of tyranny.

Unto the king, in conjunction with his two houses, according as is provided by the law in this capacity of his, as *maxime Rex*, was the duty of allegiance to be yielded by his subjects during the indissolved state of that parliament: for they were the king's great council, and supreme court, exercising the known power and privileges, that time out of mind have appertained to them, and been put forth by them, as the exigents of the kingdom have required, when differences have happened about the very title of the crown, in declaring the duty of the subject, by yielding their allegiance to kings *de facto*, when kings *de jure* have been kept out of possession. This our chronicles, and the histories of former times, do plentifully inform.

The causes that did happen to move his late majesty to depart from his parliament, and continue for many years, not only at a distance, and in disjunction from them, but at last, in a declared posture of enmity and war against them, are so well known, and fully stated in print (not to say, *written in characters of blood*) on both parts, that I shall only mention it, and refer to it.

This matter was not done in a corner: the appeals were solemn, and the decision by the sword was given by that God, who being the judge of the whole world, does right and cannot do otherwise.

By occasion of these unhappy differences thus happening, most great and unusual changes and revolutions, like an irresistible torrent, did break in upon us, not only to the disjointing that parliamentary assembly among themselves (the head from the members, the co-ordinates from each other, and the houses within themselves) but to the creating such formed divisions among the people, and to the producing such a general state of confusion and disorder, that hardly any were able to know their duty, and with certainty to discern who were to command, and who to obey. All things seemed to be reduced, and, in a manner,

resolved into their first elements and principles.

Nevertheless, as dark as such a state might be, the law of England leaves not the subject thereof (as I humbly conceive) without some glimpses of direction what to do: in the cleaving to, and pursuing of which, I hope I shall not be accounted nor adjudged an offender; or if I am, I shall have the comfort and peace of my actions to support me in and under my greatest sufferings.

The resolutions of all the judges in Calvin's Case, entitled *Post-nati*,* in the 7th book of Coke's Reports, and the learned arguments thereupon, afford me instruction even in this matter. It may be it is truly thence affirmed, That allegiance is due only to the king, and how due, is also shewed.

The king is acknowledged to have two capacities in him; one a natural, as he is descended of the blood royal of the realm; and the body natural he hath in this capacity, is of the creation of Almighty God, and immortal. The other is a politic capacity, in respect of which he is a body politic or mystical, framed by the policy of man, which is immortal and invisible. To the king, in both these capacities conjoined, allegiance is due; that is to say, to the natural person of the king, accompanied with his politic capacity, or the politic appropriated to the natural.

The politic capacity of the king hath properly no body nor soul; for it is framed by the policy of man.

In all indictments of treason, when any one does intend the death and destruction of the king, it must needs be understood of his natural body, the other being immortal. The indictment therefore concludes *contra ligeantiam suam debitam*, against the duty of his allegiance; so that allegiance is due to the natural body.

Admitting then, that thus by law, allegiance is due to the king, (as before recited) yet it is always to be presumed, that it is to the king in conjunction with the parliament, the law and the kingdom, and not in disjunction from, or opposition to them; and that while a parliament is in being, and cannot be dissolved, but by the consent of the three estates.

This is therefore that which makes the matter in question, a new case, that never before happened in the kingdom, nor was possible to happen, unless there had been a parliament constituted, as this was, unsubjected to adjournment, prorogation, or dissolution, by the king's will. Where such a power is granted, and the co-ordinates thereupon disagree and fall out, such effects and consequents as these that have happened will but too probably follow. And if either the law of nature or England inform not in such case, it will be impossible for the subjects to know their duty, when that power and command which ought to flow from

* See vol. iv. p. 559, of this Collection.

three in conjunction, comes to be exercised by all or either of them, singly and apart, or by two of them against one.

When new and never-heard of changes do fall out in the kingdom, it is not likely that the known and written laws of the land should be the exact rule; but the grounds and rules of justice, contained and declared in the law of nature, are and ought to be a sanctuary in such cases, even by the very common law of England: for thence originally spring the unerring rules that are set by the divine and eternal law, for rule and subjection in all states and kingdoms.

In contemplation hereof, as the Resolve of all the Judges, it was agreed;

1. That allegiance is due to sovereignty by the law of nature; to wit, that law which God, at the creation of man, infused into his heart for his preservation and direction, the law eternal. Yet it is not this law, as it is in the heart of every individual man, that is binding over many; or legislative, but as it is the act of a community, or an associated people, by the right dictates and persuasions of the work of this law in their hearts. This appears in the case of the Israelites, Judges, chap. 20 & 21, cited in the 4th part of Coke's Institutes, where mention is made of a parliament, without a king, that made war, and that with their brethren: they met as one man to do it, in vindication of that justice unto which they were obliged even by the law of nature. This is that which chancellor Fortescue calls political power here in England; by which, as by the ordinance of man, in pursuance of the ordinance of God, the regal office is constituted, or the king's politic capacity, and becomes appropriated to his natural person.

Thus politic power is the immediate efflux and offspring of the law of nature, and may be called a part of it. To this, Hooker in his Ecclesiastical Polity agrees, and Selden on that subject.

The law of nature thus considered, is part of the law of England, as is evident by all the best received law books, Bracton, Fleta, Lamhard upon the Saxon laws, and Fortescue in the praise of the laws of England. This is the law that is before any judicial or municipal law, as the root and fountain whence these and all governments, under God and his law, do flow.

This politic power, as it is exercised in conjunction with, and conformity to the eternal law, partakes of its moral and immutable nature, and cannot be changed by act of parliament. Of this law it is that Magna Charta, and the Charter of Forest, with other statutes rehearsed in the Petition of Right, are for the most part declaratory: for they are not introductive of any new law, but confirmations of what was good in all laws of England before. This agrees with that maxim, 'Salus Populi suprema Lex;' that being made due and binding by this law, which in the judgment of the community, declaring their mind by their own free chosen delegates and trustees in harmony with the eternal

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law, appears profitable and necessary for the preservation and good of the whole society.

This is the law, which is put forth by the common consent of the whole realm, in their representative; and (according to the fundamental constitutions of this kingdom) is that with which the kings of this land, by the joint co-operation of the three estates, do make and repeal laws.

But through the disorders and divisions of the times, these two powers, the regal and political, (which according to the law of England, make up but one and the same supreme authority) fell asunder, and found themselves in disjunction from an opposition to one another. I do not say the question is now, Which of these is most rightly (according to the principles of the law of nature, and the law of England) to be adhered unto and obeyed? but unto whether power adherence is a crime in such an exigent of state? which, since it is such a new and extraordinary case, evidently above the track of the ordinary rules, contained in the positive and municipal laws of England, there can be no colour to bring it within the statute of 25 Ed. 3, cap. 2, forasmuch as all statutes presuppose these two powers, regal and political, in conjunction, perfect unity, and subserviency, which this case does not, cannot admit. So exceeding new and extraordinary a case is it, that it may be doubted whether, and questioned how far any other parliament, but that parliament itself that was privy to all its own actings and intentions, can be an indifferent and competent judge. But however, the point is of so abstruse and high consideration, as no inferior court can or ought to judge of it, as by law books is most undeniable, to wit, Bracton, and others.

This, then, being the true state of the case, and the spring of that contest that ensued, and received its decision by the late war, the next consideration is, how far I have had my share and part therein, that by the laws is not warrantable, or by what appears in way of proof to the jury.

For the first, I shall crave leave to give you this account of myself, who have best known my own mind and intentions throughout, and would not now, to save my life, renounce the principles of that righteous cause, which my conscience tells me was my duty to be faithful unto.

I do therefore humbly affirm, that in the afore-mentioned great changes and revolutions, from first to last, I was never a first mover, but always a follower, chusing rather to adhere to things than persons, and (where authority was dark or dubious) to do things justifiable by the light and law of nature, as that law was acknowledged part of the law of the land; things that are *in se bona*, and such as, according to the grounds and principles of the common law, as well as the statutes of this land, would warrant and indemnify me in doing them. For I have observed by precedents of former times, when there have arisen disputes about titles to the crown, between kings *de facto*, and kings

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de jure, the people of this realm wanted not directions for their safety, and how to behave themselves within the duty and limits of allegiance to the king and kingdom, in such difficult and dangerous seasons.

My lord Coke is very clear in this point, in his chapter of Treasons, fol. 7. And if it were otherwise, it were the hardest case that could be for the people of England: for then they would be certainly exposed to punishment from those that are in possession of the supreme power, as traitors, if they do any thing against them, or do not obey them; and they would be punishable as traitors by him that hath right, and is king *de jure*, in case they do obey the kings *de facto*: and so all the people of England are necessarily involved in treasons, either against the powers *de facto*, or *de jure*, and may by the same reason be questioned for it, as well as the prisoner; if the Act of Indemnity and the king's pardon did not free them from it. The security then and safety of all the people of England is by this means made to depend upon a pardon, (which might have been granted or denied) and not upon the sure foundations of common law: an opinion, sure, which (duly weighed and considered) is very strange, to say no more.

For I would gladly know that person in England of estate and fortune, and of age, that hath not counselled, aided, or abetted, either by his person or estate, and submitted to the laws and government of the powers that then were: and if so, then by your judgments upon me, you condemn (in effigies, and by necessary consequence) the whole kingdom.

And if that be the law, and be now known to be so, it is worth consideration, whether if it had been generally known and understood before, it might not have hindered his majesty's Restoration.

Besides, although, until this Judgment be passed upon me, the people have apprehended themselves as free from the question, and out of danger, by reason of the act of indemnity and general pardon; yet when it shall appear to them that such their safety is not grounded on the common law, nor upon the law of nature, but that against both these and their actions they are found faulty, and tainted with a moral guilt, and that as principals also, (since in treason there are no accessaries) what terrifying reflections must this needs stir up in the mind of every man, that will be apt to believe his turn will come next, at least once in two years; as hath befallen me in my person, who (however I have been misjudged and misunderstood) can truly affirm, that in the whole series of my actions, that which I have had in my eye hath been to preserve the ancient well-constituted government of England on its own basis and primitive righteous foundations, most learnedly stated by Fortescue in his book made in praise of the English law. And I did account it the most likely means for the effecting of this, to preserve it, at least in its root; whatever changes and alterations it might be exposed unto in its

branches, through the blustering and stormy times that have passed over us.

This is no new doctrine in a kingdom acquainted with political power, as Fortescue shews ours is, describing it to be in effect the common assent of the realm, the will of the people or whole body of the kingdom, represented in parliament. Nay, though this representation (as hath fallen out) be restrained for a season to the Commons house, in their single acting, into which (as we have seen) when by the inordinate fire of the times, two of the three estates have for a season been melted down, they did but retire into their root, and were not hereby in their right destroyed, but rather preserved, though as to their exercise laid for a while asleep, till the season came of their revival and restoration.

And whatever were the intents and designs of others who are to give an account of their own actions, it is sufficient for me that at a time critical and decisive, though to my own hazard and ill usage, I did declare my refusal of the Oath of Abjuration, which was intended to be taken by all the members of parliament, in reference to kingly government, and the line of his now majesty in particular. This I not only positively refused to take, but was an occasion of the second thoughts which the parliament reassumed thereof, till in a manner they came wholly at last to decline it: A proof undeniable of the remoteness of any intentions or designs of mine, as to the endeavouring any alteration or change in the government; and was that which gave such jealousy to many in the house, that they were willing to take the first occasion to shew their dislike of me, and to discharge me from sitting among them.

But to return to what I have before affirmed; as to my being no leading or first actor, in any Change; it is very apparent by my deportment at the time when that great Violation of Privileges happened to the parliament, so as by force of arms several members thereof were debarred coming into the House, and keeping their seats there. This made me forbear to come to the parliament for the space of ten weeks, to wit, from the 31d of December 1648, till towards the middle of February following, or to meddle in any public transactions; and during that time the matter most obvious to exception, in way of alteration of the government, did happen. I can therefore truly say, that as I had neither consent nor vote at first in the Resolutions of the Houses, concerning the Non-Addresses to his late majesty, so neither had I in the least any consent in, or approbation to his death: But on the contrary, when required by the parliament to take an oath, to give my approbation *ex post facto* to what was done, I utterly refused, and would not accept of sitting in the Council of State upon those terms, but occasioned a new oath to be drawn, wherein that was omitted. Hereupon many of the Council of State sat, that would take the other.

In like manner the Resolutions and Votes

for changing the government into a Commonwealth or Free State were passed, some weeks before my return to parliament: Yet afterwards, so far as I judged the same consonant to the principles and grounds, declared in the laws of England, for upholding that political power which hath given the rise and introduction in this nation to monarchy itself, by the account of ancient writers, I conceived it my duty, as the state of things did then appear to me, notwithstanding the said alteration made, to keep my station in the parliament, and to perform my allegiance therein to king and kingdom, under the powers then regnant, (upon my principles before declared) yielding obedience to their authority and commands. And having received trust in reference to the safety and preservation of the kingdom, in those times of imminent danger, both within and without, I did conscientiously hold myself obliged to be true and faithful therein. This I did upon a public account, not daring to quit my station in parliament by virtue of my first writ: Nor was it for any private or gainful ends to profit myself, or enrich my relations. This may appear as well by the great debt I have contracted, as by the destitute condition my many children are in, as to any provision made for them. And I do publicly challenge all persons whatsoever, that can give any information of any bribes or covert ways used by me, during the whole time of my public acting. Therefore I hope it will be evident to the consciences of the jury, that what I have done hath been upon principles of integrity, honour, justice, reason, and conscience, and not, as is suggested in the Indictment, by 'Instigation of the devil, or want of the fear of God.'

A second great Change that happened upon the constitutions of the parliament, and in them of the very kingdom itself, and the laws thereof, (to the plucking up the liberties of it by the very roots, and the introducing of an arbitrary regal power, under the name of Protector, by force and the law of the Sword) was the usurpation of Cromwell; which I opposed from the beginning to the end, to that degree of suffering and with that constancy, that well near had cost me not only the loss of my estate, but of my very life, if he might have had his will, which a higher than he hindered: yet I did remain a prisoner, under great hardships, four months in an Island, by his orders.

Heraby, that which I have asserted is most undeniably evident, as to the true grounds and ends of my actions all along, that were against usurpation on the one hand, or such extraordinary actings on the other, as I doubted the laws might not warrant or indemnify, unless I were enforced thereunto by an over-ruling and inevitable necessity.

The third considerable Change was the total disappointing and removing of the said Usurpation, and the returning again of the members of parliament to the exercise of their primitive and original trust, for the good and safety of the kingdom, so far as the state of the times

would then permit them; being so much, as they were, under the power of an army, that for so long a time had influenced the government. Towards the recovery therefore of things again into their own channel, and upon the legal root of the peoples liberties, to wit, their common consent in parliament, given by their own deputies and trustees, I held it my duty to be again acting in public affairs in the capacity of a member of the said parliament, then re-entered, upon the actual exercise of their former power, or at least struggling for it. In this season I had the opportunity of declaring my true intentions as to the government, upon occasion of refusing the Oath of Abjuration before mentioned.

And whereas I am charged with keeping out his majesty that now is, from exercising his regal power and royal authority in this his kingdom; through the ill-will borne me by that part of the parliament then sitting, I was discharged from being a member thereof about Jan. 9, 1660, and by many of them was charged, or at least strongly suspected, to be a royalist. Yea, I was not only discharged from my attendance in parliament, but confined as a prisoner at my own house, some time before there was any visible power in the nation that thought it seasonable to own the king's interest. And I hope my sitting still will not be imputed as a failure of duty, in the condition of a prisoner, and those circumstances I was then in. This I can say, That from the time I saw his majesty's Declarations from Breda, declaring his intentions and resolutions as to his return, to take upon him the actual exercise of his regal office in England, and to indemnify all those who had been actors in the late differences and wars, (as in the said Declaration doth appear) I resolved not to avoid any public question, (if called thereto) as relying on mine own innocency, and his majesty's declared favour, as before said. And for the future, I determined to demean myself with that inoffensiveness and agreeableness to my duty, as to give no just matter of new provocation to his majesty in his government. All this, for my part, hath been punctually observed, whatever my sufferings have been. Nor am I willing in the least to harbour any discouraging thoughts in my mind as to his majesty's generosity and favour towards me, who have been faithful to the trust I was engaged in, without any malicious intentions against his majesty, his crown, or dignity, as before hath been shewed; and I am desirous for the future to walk peaceably and blamelessly.

Whatever therefore my personal sufferings have been since his majesty's Restoration, I rather impute them to the false reports and calumnies of mine enemies, and misjudgers of my actions, than reckon them as any thing that hath proceeded from his majesty's proper inclination, whose favour and clemency I have had just reason, with all humility, to acknowledge.

First, with regard to his majesty's Speech,

made the 27th of July, 1660, in the House of Peers, wherein his majesty expressly declared it to be no intention of his that a person under any circumstances should be excepted out of the Act of Indemnity, either for life or estate.

And Secondly, However it was the parliament's pleasure (myself unheard, though then in the Tower, and ready to have been brought before them) to except me out of the common Indemnity, and subject me to question for my actions, yet they themselves of their own accord (admitting the possibility that in such questioning of me I might be attainted) made it their humble desire to his majesty, that in such case execution, as to my life, might be remitted. Upon this his majesty readily gave his grant and assent. And I do firmly believe, if the Houses had pleased to give me the opportunity and leave of being heard, they would never have denied me the Indemnity granted to the rest of the nation.

That which remains of further Charge yet to me is the business of a Regiment, an employment which I can in truth affirm, mine own inclinations, nature, and breeding, little fitted me for, and which was intended only as honorary and titular, with relation to volunteers, who, by their application to the Council of State, in a time of great commotions, did propound their own officers, and, (without any seeking of mine, or not considering any farther of it, than as the use of my name) did, among others, nominate me for a colonel, which the Council of State approved, granting Commissions to myself, and all other officers relating thereto; and the parliament confirmed my said commission, upon report thereof made to them.

This will appear by several witnesses I have to produce in this matter, that will be able to affirm how little I took upon me, or at all, to give any orders, or make use of such my Commission, any otherwise than in name only.

It is true, indeed, that at a certain time, when I was summoned to appear at the Committee of the Militia, in Southwark, whereof I was a member, that which was called my own company of foot, from the respect which they and their officers pretended to me, were desirous to be in a posture fit for me to see them; and as I passed by, I took the opportunity, at their desire, to shew myself to them, and only, as taking notice of their respect, in some few words, expressing the reason I had to receive it in good part, I told them I would no longer detain them from their other occasions. After I was gone from them, I appointed my captain-lieut. to give them from me something to drink, as might be fitting on such an occasion, which, to my best remembrance, was 5*l*.; and he laid it out of his own money.

More than this, as I remember, was not done by me; so much as to the seeing any more the companies of that regiment gathered together, or giving orders to them: Which I publicly and avowedly declined, persuading the officers to lay down their Charges in mine own example, so soon as I discerned the inten-

tions of the sitting down of the Committee of Safety, and the exorbitant power committed to them to exercise, and the way of proceedings by the army, in interesting themselves in the civil government of the nation, which I utterly disliked.

And although I forbore not to keep my station, in reference to the Council of State, while they sat, or as a Commissioner of the Admiralty, during the time by them appointed to act by parliamentary authority, and so had occasion to be daily conversant with the members of the Committee of Safety (whereof myself, with others that would not accept, were named;) yet I perfectly kept myself disinterested from all those actings of the army, as to any consent or approbation of mine, (however, in many things, by way of discourse, I did not decline converse with them) holding it my duty to penetrate as far as I could into their true intentions and actions; but resolving within myself to hold true to my parliamentary trust in all things wherein the parliament appeared to me to act for the safety and good of the kingdom. However, I was misinterpreted, and judged by them as one that rather favoured some of the army, and their power.

Upon the whole matter, there is not any precedent that ever both or either of the houses of parliament did commit treason: For though privilege of parliament does not so hold in treason, but that particular members may be punished for it, yet it is unprecedented, that both or either houses of parliament, as a collective body, ever did or could commit treason.

All the acts done in parliaments have been reversed indeed, and repealed, as what was done 11 Rd. 2. was repealed 21 Rd. 2. and what was done 21 Rd. 2. was repealed 1 Hen. 4. 3. as appears by the printed Statutes: Yet I do not find that both or either house of parliament were declared traitors for what they did in those parliaments; or that any which acted under them suffered for the same in any inferior Courts. And surely the reason is obvious: For they had a co-ordinancy in the supreme or legislative power for the making altering, and repealing laws. And if so, 'par in parem non habet imperium.' And by authorities out of Bracton, Fleta, and others, it may appear what superiors the king himself hath, (who yet hath no peer in his kingdom, 'nisi curiam haronum'), God, law, and parliament.

And if either or both Houses cannot commit treason, then those that act by their authority cannot: For, 'Plus peccat autor quam actor,' the author offends more than the actor. If those that command do not, nor can commit treason, how can those that act by their authority be guilty of it?

Further, I must crave leave to assert, by reason of what I see opened upon the Evidence, that what is done in parliament, or by their authority, ought not to be questioned in any other Court: For every offence committed in any Court, must be punished in the same, or in some higher, and not any inferior Court. Now

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the Court of parliament hath no superior Court, as is said in "Coke's Jurisdiction of Courts." And the reason there given that Judges ought not to give any opinion in a matter of parliament, is, Because it is not to be decided by the common laws, but 'secundum legem et consuetudinem parliamenti.' This the Judges in divers parliaments have confessed. And that reason is not to be waved, which the lord Coke gives, That a man can make no defence; for what is said and acted there, is done in council, and none ought to reveal the secrets of the House: Every member hath a judicial voice, and can be no witness.

June the 11th.

After the customary formalities of the Court, The Clerk demanded of sir Henry Vane what he had to say why Sentence of death should not be passed upon him?

Sir Henry Vane first alledged, That he had not yet heard the Indictment read in Latin. The debate upon this took up some time: At length some of the king's counsel desired that the prisoner might be satisfied in that point. Sir Henry desired that counsel then might also be assigned him, to make Exceptions thereto, if they found cause; otherwise he valued not the hearing of it read in Latin. This was overruled by the Court: He soon therefore desisted from any further urging it.

The next thing sir Henry offered in his own Defence was the Bill of Exceptions, which he brought with him ready drawn, and offered it to the Judges, desiring them, according to the Statute of Westm. 2. 31. made 13 Edw. 1. to sign it. This he urged so home, that the Statute was consulted and read in open Court, running in favour of the prisoner to this effect: "That if any man find himself aggrieved by the proceedings against him before any justices, let him write his Exception, and desire the justices to set their seals to it." "This act was made (says Coke) that the party wronged might have a foundation for a legal process against the justices by a Writ of Error, having his Exception entered upon record in the Court where the injury is done, which through the justices overruling it, they could not before procure, so the party grieved was without remedy; for whose relief this statute was made. The justices refusing to set their seals, the party grieved may have a writ grounded on this statute, commanding them to set their seals to his Exception. This Exception extends not only to all pleas dilatory and peremptory, &c. but to all challenges of any jurors, and any material evidence, given to any jury, by which the Court is overruled." As in this prisoner's Case the Testimony about falsifying of his hand to writing, &c. was, by what was offered to the jury by Justice Windham.

Further, says Coke on this statute, "If the Justice (or justices) die, their executors or administrators may be proceeded against for the injury done. And if the judge (or judges) deny to seal the Exception, the party wronged may

in the Writ of Error take issue thereupon, if he can prove by witnesses the judge or judges denied to seal it."

Notwithstanding all this, the judges overruled this plea also, by such interpretation as themselves put upon that statute, to wit, That it was not allowable in criminal cases for life. This makes the law less careful for the preservation of a man's life, than any particulars of his estate, in controversies about which this statute is affirmed by them to hold. Whereas life is the greater, and innocent blood, when spilt, is irreversible, as to the matter, it cannot be gathered up again: The estate is the lesser; and if an erroneous judgment pass about it, it is reversible upon traverse, Writ of Error, or otherwise.

The reason they alledged for their pretended Opinion was this, That if it be held in criminal cases for life, every felon in Newgate might plead the same, and so there would be no Gaol-Delivery.

Sir Henry answered, His case was not the case of common felons, alledging the grant of his majesty to the Petition of both Houses for his life, in case he should be attainted. There is no need therefore sure (said he) of fearing the consequence of spinning out the time a little with a person in his circumstances. Besides, (he said) he had been a prisoner two years, and never culled on to give any account of himself and his actions, (so is it not with felons;) which, with other considerations, may sufficiently evince that there is no need of such hastening his death. He told them withal, that he desired not this for his own sake only, but for theirs, and for posterity; that they might, on a more leisurely and unprejudiced hearing of what may be said on all hands, prevent the bringing of innocent blood upon themselves and the land.

But being in this also overruled by the Court, (say what he would) he only desired he might understand whether they would all give it as their common judgment they would stand to, That what he desired was not his due by the law? By this means they were all put upon it, one by one, to declare themselves in that point, unanimously denying him the benefit of that Act. To the by-standers their chief reason seemed to be, That it had not been practised this hundred or two of years.

The third thing sir Henry desired was, That the Petition of both Houses, with his majesty's Answer thereunto, might be read in the Court; which, after some dispute, was concluded to be a thing they were not bound to take notice of, not being an act of parliament. Yet what is any act of parliament, but a bill presented with the Petition of both Houses to his majesty, with his royal assent thereto, upon public record? At length they condescended to read it; and that was all.

The fourth and last thing sir Henry Vane offered to the consideration of the bench was this, That in regard there were Questions touching matter of law in his case, which must

receive their determination in parliament, he desired he might have counsel assigned him, to argue them before their lordships. Some of these points he instanced in, to wit;

1. Whether a parliament were accountable to any inferior Court?

2. Whether the king, being out of possession, and the power regent in others—

Here they stopped him, not suffering him to proceed, nor admitting that the king was ever out of possession. To which sir Henry replied, The words of his Indictment ran thus, 'That he endeavoured to keep out his majesty;' and how could he keep him out of the realm, if he were not out?

But when he saw they would over-rule him in all, and were bent upon his condemnation, he put up his Papers, appealing to the righteous judgment of God, who (he told them) must judge them as well as him, often expressing his satisfaction to die upon this Testimony; which Keeling, one of the king's counsel, insultingly answered, 'So you may, Sir, in good time, by the grace of God.' The same person had often before shewed a very snappish property towards the prisoner; and sir Henry sometimes answered him according to his folly: For when he would have had the book out of the prisoner's hand, wherein was the statute of Westminster, 2d. c. 31; Sir Henry told him, 'He had a very officious memory, and when he was of counsel for him, he would find him books.' (Whereby was verified what was said to be spoken by him, at first, in answer to one of his brethren, on the Arraignment-day, "Though we know not what to say to him, we know what to do with him.")

The BILL OF EXCEPTIONS, translated out of the best Latin form the prisoner could procure; no council learned in the law daring to assist him in those circumstances, without assignment from the Court, which was denied.

First, Concerning my Imprisonment.

(1.) I shall here mention my entrance into this new scene of sufferings under the present power (after my having been handled at will and pleasure, under the six years usurpation of Cromwell) which I conceive not to have been at all according to the law of the land, as may appear by the 29th chap. of Magna Charta, and Coke upon it, with many other Statutes and law-books: in all which it appears that the law of England is so tender, not to say curious, in providing for the subject's liberty, that he is not to suffer the least restraint, confinement or imprisonment, but by the lawful judgment of his peers, or by the law of the land. Contrary to all which, I was committed at mere will and pleasure, and have been detained close prisoner these two years, without any cause specified, or any particular crime laid to my charge.

Secondly, Concerning Transactions at the Grand Jury.

(2.) The Grand Jury of Middlesex, without

my privity, knowledge or presence (after I had been kept a close prisoner two full years) did meet, take the Depositions of witnesses, and find the Bill against me, which inevitably exposed me to a trial at the King's-Bench bar, for I knew not what: whereas major Rolf and others have had the right of Englishmen granted them, to be present at the Grand Jury's proceedings; yea, and to have counsel also present to plead any thing in a way of reason or law, for invalidating the testimony, or disabling the witnesses, whereby the Indictment hath been immediately quashed; and so the party accused delivered from any shadow of infamy, by so much as appearing in the circumstances of a malefactor at any public bar of justice. That this Prisoner had great need of that privilege of being present himself, or having counsel and other friends present at the Grand Jury, will appear hereafter, by the seditious and injurious handling of matters there.

Thirdly, Concerning the Jurisdiction of the Court.

(3.) The offences supposed to be committed by me, are things done not of my own head, but as a member of the Long Parliament, or in pursuance of their authority. The matters done by me, in the one respect or other, if they be deemed offences, are punishable only in parliament; and I ought not to be questioned for them in any inferior court, as Coke shews in the 4th part of his Institutes, chap. 2, concerning the High Court of Parliament. For the parliament is not confined in their actings by the law, which inferior courts are tied up to; but in divers cases are privileged to act extraordinarily and unaccountably to any but themselves, or succeeding parliaments. Moreover, that parliament was extraordinarily commissioned, qualified and authorized by express act of parliament, beyond all preceding parliaments, for the causes and ends declared in the preamble of the Act for their establishment, accorded and passed by the joint consent of King, Lords and Commons, whereby they became unsubjected to adjournment, prorogation or dissolution, but by their own respective voluntary consents, to be by them expressed and passed for that purpose, with the royal assent; which occasioned his late majesty, in his Answer to the Nineteen Propositions, to say, "That the power hereby legally placed in both houses, was more than sufficient to prevent and restrain the power of tyranny."

And further, the bringing of this case under the jurisdiction of this court, or of any other but a parliament, may prove of very dangerous consequence, in point of precedent, and most disagreeing to all rules of justice. For, First, By the same reason that I am questioned in this court, not only every member of parliament, but the very houses themselves, with all their debates, votes and orders, may not only be questioned, but referred to a petty-jury, and so come to be judged and sentenced by a court inferior to themselves; which judges in

all times have disclaimed and acknowledged to be out of their power, according to the known rule, "*Par in pares non habet imperium, multo minus in eos qui majus imperium habent.*"—Secondly, In such case the parties accused will be debarred of evidence or witness for their justification and defence. For no members, &c. present at debates in parliament, (who are the only eye and ear-witnesses of what is said and done there) ought to discover the counsels of the House.

Fourthly, Concerning the Indictment.

1. I have not been permitted to have a copy or sight of the Indictment, nor so much as to hear it read in Latin, which is the original record of the court, and ought to be the foundation of their whole proceeding with me. I often desired these things of the court; yea, or at least to have but the transcripts of some particular clauses in the Indictment, to enable me to shew the deficiencies thereof in law, (all which, others in such cases have often obtained) but nothing would be granted herein.

This then was my hard lot and usage; I was put (after two years close imprisonment) to answer for my life to a long Indictment read in English, which whether it were rightly translated how should I know, that might not hear the original record in Latin? Counsel also learned in the law were denied me, though pressed for by me again and again, before I pleaded. And had they been granted, what could they have said as to defects of law in the Indictment, unless they might have a copy of it? What can any counsel say to any petty business concerning any part of a man's estate that is in controversy, unless they may have a leisurely view and perusal of the writings thereabouts? Much more sure will it appear requisite to the reason of all mankind, when a man's whole estate, life and all, are at stake. It is true, before I pleaded, the Court promised I should have Counsel assigned me after pleading ["God forefend else," said the Lord Chief Justice] but it is as true, I never could yet see that promise made good. All things tending to a fair trial were promised me in general before pleading, but every material particular for the just defence of my life, hath been denied me ever since. And my trial for life was huddled up the next day of my appearing before you: the Jury (as was told me) must not eat nor drink till they had done their work: (so the more than forty Jewry-men that resolved to kill Paul, Acts xxiii. 21.) But why such haste and precipitancy for a man's life, that is more than meat or estate, when you can let civil causes about mens estates depend many years? And if an erroneous judgment be passed in such matters, it is reversible; but if innocent blood be spilt, it cannot be gathered up again, as the wise woman of Tekoah said, 2 Sam. xiv.

2. But secondly, then, as to Defects in the Indictment, which I was in some measure enabled to observe from that broken hearing

thereof, that was afforded me here in the court; I say there are many, and those very considerable: and by the law of England I ought not to have been urged to plead or make answer to any such an illegal and defective indictment.

1. There is no sufficient Overt-Act therein alledged of the prisoner's imagining the king's death, or that he had any the least intention that way.

2. The Levying of a War is alledged in Southwark, and cannot therefore be tried by a jury of Middlesex, Dyer, fol. 234. and the 3d part of Coke's Institutes, fol. 34.

3. There is uncertainty and obscurity in the main thing alledged against me in the indictment; to wit, "That I, together with a multitude of persons, to the number of a thousand, unknown to the jury, &c." whereas no criminal act can be tried that is not certain; "*Certa res debet esse quæ deducitur in judicium.*"

4. The treason laid to my charge, is alledged to have been committed with a multitude of other false traitors, which were pardoned by the Act of Indemnity; Such supposed crimes therefore of theirs cannot be remembered or alledged, without a manifest breach of the Act of Indemnity and Oblivion.

The Indictment is, or ought to be founded on some clause or branch of 25 Edw. 3, c. 2, but no such overt-act is alledged in the indictment, or proved by witnesses, as doth discover that I had any intention to kill, depose, or hold out the king from the possession and exercise of his regal power. Whereas I am accused of 'compassing or imagining the death of the king,' this must be understood of his natural or personal*, not politic capacity, for in this latter sense the law says, "*The king cannot die.*"

First then, to compass only the deposition of the king, is not within the words of that statute (several kings have been deposed by parliament since the Conquest); and as to my compassing or designing the natural death of the king's person, with what colour can I be accused of such intentions, in the circumstances the king at that time was in beyond the seas?

Secondly, The assembling of men together without any hostility or injury offered to any person, but for a man's own security and defence in a time of confusion and distraction, is not levying war, or treason at the common law, or by that statute. Yea, in this case, and at the season wherein such an act as this is alledged, it might be supposed to be done for the king's restoration, as well as in opposition thereunto: and the most favourable and advantageous construction ought to be made and put upon the prisoner's actings or words, where there is ambiguity, so that they may be taken or interpreted divers ways. For the law always presumeth actions to be innocent, till the contrary be manifestly proved. However, in a time of

* See Luders's Considerations on the Law of High Treason in the Case of Levying War, p. 71, 72.

vacancy or an interregnum, when the foundations of government are out of course, by the law of reason, nature, and common prudence, every man may stand upon his own guard, endeavouring his own security and protection from injury and violence.

Thirdly, To be adherent to the king's enemies within this realm, &c. cannot, ought not to be understood of any adhesion to a parliament, wherein the king by law is supposed always present, as a part thereof. Nor can the Long Parliament be called the king's enemies, without overthrowing the Act of indemnity, which the king hath declared to be the foundation of the nations' present peace and security.

Lastly, The Treasons alledged in the Indictment are said to have been committed when the king was out of possession: So the Indictment runs, "To keep out the king," &c. Now my lord Coke in the third part of his Institutes, fol. 7. saith, 'A king *de jure*, and not *de facto*, 'is not within the statute; against such a one 'no treason can be committed. For if there 'be a king regnant in possession, though he be 'rex *de facto*, and not *de jure*, yet he is Seigneur 'le Roy, within the purview of this statute; and 'the other that hath right, and is out of possession, is not within this act. Nay, if treason be committed against a king *de facto et non de jure*, and after the king *de jure* cometh 'to the crown, he shall punish the treason 'done to the King *de facto*.'

And after, in the same place he saith, 'That 'by law there is always a king, in whose name 'the laws are to be maintained and executed, 'otherwise justice would fail.' The act also of 11 Hen. 7, was made for security of the subject on this behalf. The word 'King' also may and ought to be taken largely for any sovereign power in a king or queen, as Coke in the place fore-quoted shews; and why not, by the same reason, in a Protector, though an usurper, or any other persons, one or more, in whom sovereignty is lodged, or that have all the badges of sovereignty; as the calling of parliament, enacting of laws, coining of money, receiving foreign ambassadors, &c. His majesty that now is, is granted by the very Indictment to have been then out of possession: if so, then was there either some other king, or what was equivalent, some sovereign power in actual possession and exercise, or none. If the former, then was there a king *de facto*, so no treason, could be committed against him that was king *de jure*, only; If the latter, then the government was dissolved, no allegiance was due to any persons, and so no offence could be properly treason within the statute.

But had the late Protector had the name and style of a king, no treason could have been committed against the king *de jure* only. Now God forbid that you should give away my life; upon such niceties, because an usurping Protector was not clothed with the title as well as power of a king. The Protector or any usurper's taking or not taking the title of a king, in case he have the power, cannot alter the state

of my supposed crime. You ought not to be biassed by popular reports concerning me. It is easier to be innocent, than so reported: The one is in our power, not the other.

Fifthly, Concerning the Evidence.

1. No allegation was directly proved by two positive lawful witnesses, as in this case it ought.

2. One of the witnesses for the king confessed in open Court, That to his knowledge my hand had been counterfeited, to my prejudice and damage in great sums of money; yet Orders pretended to be signed by me (wherein my hand may as well be counterfeited), are taken as evidence against me.

3. The issue of the whole cause depended on the solution of some difficult Questions of an high nature, and great importance, as could not safely be determined but in the high court of parliament: As,

1. Whether the Long Parliament called in November 1640, were dissolved by the late king's death?

2. Whether the successive remaining powers that exercised the royal supreme authority from 1648, to the Restoration of his now majesty, were not within the true sense and meaning of 25 Edw. 3, and 11 Hen. 7.

REASONS FOR AN ARREST OF JUDGMENT, writ by the Prisoner, but refused to be heard by the Court.

I. I have been denied so much as to hear the Indictment read in Latin, as it is the original record of the Court: yea, so much as a copy of it in English hath been denied me during the whole time of my trial; by the sight whereof I might be able to assign the defects of law that may be in it.

Counsel also hath been denied, not only before I pleaded, but after; and all points by me offered in law to the Judges of the Court have been over-ruled, without admitting me counsel to argue the same, and better inform the judgment of the court. I have demanded that I might put in a Bill of Exceptions upon the Statute of Westminster. 2. cap. 31. This likewise is denied me, over-ruled, and judged as out of that Statute. Neither will counsel be allowed me in this, to shew cause why it ought to be admitted as of right. And as no counsel was allowed, so neither were the judges counsel to me, as they said themselves they would and ought to be, but rather suffered me to wrong and prejudice myself; some of them saying, 'Let him go on, the worst will be his own at last.' And they neither checked nor restrained the king's counsel in their high and irritating expressions to the jury, to find me guilty: one of whom was seen to speak privately with the foreman of the jury, immediately before the jurors went from the Bar, after he had spoken openly, 'I trust the prisoner was to be made a public sacrifice, in reference to the actions done against his majesty that now is.'

All this is very far from that indifference in trial, and from that equality which the law requires, and they are bound by their oaths to

afford me; besides the undue proceedings in the business of the Petty Jury. A list of forty-eight persons was presented to me, who being to me unknown, and no time allowed me to gain any knowledge of them, though I was permitted to challenge, and refuse three juries, without shewing cause, yet could not that refusal be upon such rational grounds as the law supposes, which doubtless intends substantial relief to the prisoner, in allowing him the liberty of such refusal; whereas, through my ignorance of the persons, I might refuse the best, and choose the worst, as to my safety. And then whereas the law further allows me the refusal of any other beyond the thirty-five, on just and exceptionable cause shewn, what just exception was I capable to alledge in a sudden hurry against persons to me altogether unknown, unless it would be taken for a just one, that they were unknown to me?

All these things being so contrary to the right which the Judges stand obliged to do every one, as they are for that purpose intrusted by God and the king, is just cause for an Arrest of Judgment, and a good reason why they should yet at length allow me a copy of the Indictment, and assign counsel to argue for the prisoner against the defects in law that may be found therein. Without this, law is denied me, which is my birthright and inheritance; the best birthright a subject hath, says Coke on Magna Charta: for thereby (says he) his goods, lands, wife, children, his body, life, honour, and estimation, are protected from injury. The life, birthright, or inheritance, we have from our parents, may soon be gone, if this fence thereof be broken down. How great a wrong then, it is for the court to withhold it from me, is manifest. Are they not therefore in effect chargeable with my blood, by such unequal proceedings as I have had in my trial?

II. My Second Reason for an Arrest of Judgment is drawn from the issue that is joined in my case, which seems to depend chiefly upon matter of law; and that in such tender and high points, as are only determinable in the high court of parliament.

For it is become the question, Whether I am guilty or not guilty, according as these Propositions following are truly or erroneously resolved.

1. Whether the parliament that began November 3, 1640, were dissolved by the king's death? and whether this court may judge things done in parliament?

2. Whether the powers regnant, and *de facto* that successively were in being, from Jan. 30, 1649, to Decemb. 20, 1659, were such powers, *de facto*, as are the king, or Seigneur le Roy, within the purview of the Statute of 25 Edw. 3. having the exercise of regal power in all the particulars of it, though not the name?

3. Whether during that time fore-mentioned his majesty that now is were properly king *de facto*? or whether he were not out of possession and without all exercise of his regal authority within the realm?

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4: Whether the case now in question be a Treason literally within the words of the Statute 25 Edw. 3, or at most, any other than an interpretative and new treason, not declared before the very time of my trial; and that only by the judgment of the court, or opinion of my judges, eleven years after some of the things charged on me, are alledged to have been committed?

As for the first of these, the Act for continuance of the Long Parliament is express: 'That all and every thing or things whatsoever, done or to be done, for the adjournment, proroguing or dissolving of that parliament, contrary to that act, shall be utterly void and of none effect.' I then thus argue:

The Judges do upon occasion of this trial resolve, That the king's death dissolved that parliament. No act of parliament hath yet declared it to be so; and the Judges ought to have some law for their guide, as Coke well says. To be sure, if in process of time the parliament shall expressly declare, That not the king's death, but the Act for the dissolution of that parliament, did dissolve it; in such case, these Judges resolution by virtue of such act is absolutely void. But innocent blood in the mean time may be shed, and an estate wrongfully taken away. And in case what the Judges assert herein were law, it is law not known or declared till many years after the fact committed. At this rate, who is secure of estate or life?

As to the second and third Queries, or Propositions, it does appear out of the third part of Coke's Institutes, fol. 7. and the statute 11 Hen. 7. cap. 1. that actings for the king in fact, are not to be questioned by the king in right. If it be said, That there was no king in this case; it may be replied, That they who had the power and exercise of the royal jurisdiction, as to peace and war, coinage of money, power of life and death, &c. which are the highest ensigns of regal authority, must needs be the powers regnant, though not under the name of king, as are within the statute of 25 Edw. 3, c. 2. as a queen also is adjudged, and any sovereign prince, though under the title only of lord, as was the case of Ireland before it was a kingdom. And if so, why not in more such persons as well as one, that *de facto* exercise the royal power and sovereign authority, under what name or title soever? If upon this nicety, judgment be given against me, because the powers regnant wanted the name and formality of a king, I shall doubtless have very hard measure. For the reason and equity is the same, if the powers regnant had the thing, though not the title. And where there is the same reason, there is the same law, as is a known rule. Now there is the same reason the subject should be equally indemnified, that acteth under any sovereign authority that hath not the name of a king, as if it had. If there had been many kings, as a Heptarchy hath been in England heretofore, those would have been understood to be within the statute;

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and the reason and equity of the statute is the same in all cases. For the law is made for the benefit and security of the subject, whom the law requires not to examine the right of sovereignty. Nor is the danger less under one government than another.

The statute is, for securing the subjects from all dormant titles, that they may safely pay their allegiance when they receive protection, and that they may not be in danger of being destroyed by two powers at the same time. For that power which is supreme and *de facto*, will be obeyed, and make it treason to do otherwise; be it right or wrong. And if the subject be at the same time in danger of committing treason against the power *de jure*, then is he in a miserable condition, and state of unavoidable necessity, which is provided against by the laws of the land. Otherwise, if he be loyal to the king *de jure*, he shall be hanged by the king *de facto*; and if he be faithful to the king *de facto*, he shall die by the king *de jure*, when he recovers possession.

Against this it was, that the statute of 11 Hen. 7. was provided, in the difference betwixt the two Houses of York and Lancaster. My case is either the same with that, and then I desire the benefit of that statute; or else it is new, and then I desire as is provided, 25 Edw. 3, that it be referred to the parliament. So that it is either within the equity of the statute 11 Hen. 7. or else it is a new case, and not to be judged by this court.

If the Judges in the Resolves by them delivered, upon any of the particulars before alledged, have not declared that law that ought to guide them, but their particular Judgments or Opinions, as undertaking to guide the law, and that in points of so grand concern as to touch the subjects life, in case their judgments after should prove erroneous, the verdict given upon such errors must needs be illegal and void. Judgment therefore ought to be suspended, till such time as the truth and certainty of the law may be fully argued and cleared, and that in the proper court for the hearing and judging of this case. If this be not done, but I be forthwith proceeded against (notwithstanding any thing however rationally or legally alledged to the contrary) by such undue precipitation and given sentence, I am (contrary to Magna Charta, or law of the land) run upon and destroyed, without due form and course of law. And I am like to be deprived of estate and life upon no law or certain rule, which was declared before the fact; no, nor before the trial.

Upon these considerations, I desire an Arrest of Judgment, and that counsel may be assigned me, and competent time allowed to make good my averments.

As an argument to press this, I desire leave of the Court, That the Petition of the two Houses, and the king's assent to it, may be read in open court, attested by one that is present, who examined and compared it with the book of Record in the Lords' house; by which

it evidently appears, that as well the king as both houses of parliament were agreed, that admitting I were attainted, yet execution, as to my life, should be remitted. And if so, there is no cause to precipitate the passing sentence; especially when also such weighty points in the law are yet to be argued and cleared, unless the Judges will evidently charge themselves with my innocent blood.

III. My third Reason for an Arrest of Judgment, is the manifest newness of this case, being such as never happened before in the kingdom; which withal is of so vast a consequence to people of all sorts and conditions within this realm, as nothing more. And being so, (as I doubt not with your lordships patience I shall make it appear) it is the known law, witnessed by Bracton, and ancient approved law-books, That in such cases the Judges in the inferior courts ought not to proceed, but bring it before the high court of parliament.

To prove therefore the newness of this case, besides what I have already alledged in my Defence, before the verdict, give me leave to add that, which yet further shews the newness and extraordinariness thereof. And I beseech your lordships to let me go on without interruption, in my endeavouring to make it out as clearly as God shall enable me, and as briefly also, not to spend too much of your time.

In general, I do affirm of this case, That it is so comprehensive, as to take in the very interests of heaven and earth: First, Of God the Universal Sovereign and King of Kings: Secondly, That of earthly sovereigns, who are God's vicegerents: As also the interests of all mankind, that stand in the relation of subjects to the one or both those sorts of sovereigns.

This in general. More particularly: Within the bowels of this case is that cause of God, that hath stated itself in the late differences and wars that have happened and arisen within these three nations, and have been of more than 20 years continuance: which, for the greater certainty and solemnity, hath been recorded in the form of a National Covenant, in which the generality of the three nations have been either implicitly involved, or expressly concerned, by the signing of their names.

The principal things contained in that Covenant, were the known and commonly-received duties, which either as men or as Christians we owed and stood obliged to perform either to God, the highest and universal King in church or state, or to our natural lord and sovereign, the kings of this realm, in subordination to God and his laws.

Again, It contains as well the duties which we owe to every particular and individual person, in their several stations and callings, as to the king in general, and our representative body in parliament assembled. These duties we are thereby obliged to yield and perform, in consistency with, and in a just subordination and manifest agreeableness to the laws of God, as is therein expressed: And this also, in no

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disagreement to the laws of the land as they then were.

By this solemn Covenant and Agreement * of the three nations, giving up themselves in subjection to God and to his laws, in the first place, as the allegiance they owe to their highest Sovereign, (as the Creator, Redeemer, Owner, and Ruler of all Mankind) they have so far interested the Son of God in the supreme rule and government of these nations, that nothing therein ought to be brought into practice, contrary to his revealed will in the Holy Scriptures, and his known and most righteous laws.

This duty which we owe to God, the universal King, nature and Christianity do so clearly teach and assert, that it needs no more than to be named. For this subjection and allegiance to God and his laws, by a right so indisputable, all are accountable before the judgment seat of Christ.

It is true, indeed, men may *de facto* become open rebels to God and to his laws, and prove such as forfeit his protection, and engage him to proceed against them as his professed enemies. But, with your lordship's favour, give me leave to say, that that which you have made a rule for your proceedings in my case, will indeed hold, and that very strongly, in this; that is to say, in the sense wherein Christ the Son of God, is king *de jure*, not only in general, over the whole world, but in particular, in relation to these three kingdoms. He ought not to be kept out of his throne, nor his visible government, that consists in the authority of his word and laws, suppressed and trampled under foot, under any pretence whatsoever.

And in the asserting and adhering unto the right of this highest sovereign, as stated in the Covenant before-mentioned, the Lords and Commons jointly, before the year 1648, and the Commons alone afterwards, to the very times charged in the Indictment, did manage the war and late differences within these kingdoms. And whatever defections did happen by apostates, hypocrites, and time-serving worldlings, there was a party amongst them that continued firm, sincere and chaste unto the last, and loved it better than their very lives; of which number I am not ashamed to profess myself to be: not so much admiring the form and words of the Covenant, as the righteous and holy ends therein expressed, and the true sense and meaning thereof, which I have reason to know.

Nor will I deny, but that, as to the manner of the prosecution of the Covenant to other ends than itself warrants, and with a rigid oppressive spirit, to bring all dissenting minds and tender consciences under one uniformity of church-discipline and government, it was utterly against my judgment. For I always esteemed it more agreeable to the Word of God, that the ends and work declared in the Covenant should be promoted in a spirit of love and for-

bearance to differing judgments and consciences, that thereby we might be approving ourselves 'in doing that to others which we desire they would to us;' and so, though upon different principles, be found joint and faithful advancers of the reformation contained in the Covenant, both public and personal.

This happy union and conjunction of all interests in the respective duties of all relations, agreed and consented to by the common suffrage of the three nations, as well in their public parliamentary capacity, as private stations, appeared to me a rule and measure approved of, and commanded by parliament, for my action and deportment, though it met with great opposition, in a tedious, sad, and long war; and this under the name and pretext of royal authority. Yet, as this case appeared to me in my conscience, under all its circumstances of times, of persons, and of revolutions inevitably happening by the hand of God and the course of his wise providences; I held it safest and best to keep my station in parliament to the last, under the guidance and protection of their authority, and in pursuance of the ends before declared in my just Defence.

This general and public case of the kingdoms is so well known by the declarations and actions that have passed on both sides, that I need but name it; since this matter was not done in a corner, but frequently contended for in the high places of the field, and written even with characters of blood. And out of the bowels of these public differences and disputes doth my particular case arise, for which I am called into question. But admitting it come to my lot to stand single, in the witness I am to give to this glorious cause, and to be left alone, (as in a sort I am) yet being upheld with the authority before asserted, and keeping myself in union and conjunction therewith, I am not afraid to bear my witness to it in this great presence, nor to seal it with my blood, if called thereunto. And I am so far satisfied in my conscience and understanding, that it neither is nor can be treason, either against the law of nature, or the law of the land, either *malum per se*, or *malum prohibitum*; that on the contrary, it is the duty I owed to God the universal King, and to his majesty that now is, and to the Church and People of God in these nations, and to the innocent blood of all that have been slain in this quarrel. Nothing it seems will now serve, unless by the condemnation passed upon my person, they be rendered to posterity murderers and rebels, and that upon record in a court of justice in Westminster-hall. And this would inevitably have followed, if I had voluntarily given up this cause, without asserting their and my innocence; by which I should have pulled that blood upon my own head, which now I am sure lie at the door of others, and in particular, of those that knowingly and precipitately shall embroil their hands in my innocent blood, under whatsoever form or pretext of justice.

My case is evidently new and unusual, that

* See 3 Cobb. Parl. Hist. 169.

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which never happened before; wherein there is not only much of God and of his glory, but all that is dear and of true value to all the good people in these three nations. And, as I have said, it cannot be treason against the law of nature, since the duties of the subjects in relation to their sovereigns and superiors, from highest to lowest, are owned and conscientiously practised and yielded by those that are the assertors of this cause.

Nor can it be treason within the statute of 2. of Edw. 3, since besides what hath been said of no king in possession, and of being under powers regnant, and kings *de facto*, as also of the fact in its own nature, and the evidence as to overt-acts pretended; it is very plain it cannot possibly fall within the purview of that statute. For this case, thus circumstantiated, as before declared, is no act of any private person, of his own head, as that statute intends; nor in relation to the king there meant, that is presumed to be in the exercise of his royal authority, in conjunction with the law and the two houses of parliament, if they be sitting, as the fundamental constitutions of the government do require.

My lords, if I have been free and plain with you in this matter, I beg your pardon: For it concerns me to be so, and something more than ordinarily urgent, where both my estate and life are in such eminent peril; nay, more than my life, the concerns of thousands of lives are in it, not only of those that are in their graves already, but of all posterity in time to come. Had nothing been in it, but the care to preserve my own life, I needed not have staid in England, but might have taken my opportunity to withdraw myself into foreign parts, to provide for my own safety. Nor needed I to have been put upon picading, as now I am, for an arrest of judgment; but might have watched upon advantages that were visible enough to me, in the managing of my trial, if I had consulted only the preservation of my life or estate.

No, my lords, I have otherwise learned Christ, than to fear them that can but kill the body, and have no more that they can do. I have also taken notice, in the little reading that I have had of history, how glorious the very Heathens have rendered their names to posterity, in the contempt they have shewed of death, (when the laying down of their life has appeared to be their duty) from the love which they have owed to their country.

Two remarkable examples of this, give me leave to mention to you upon this occasion. The one is, of Socrates the divine philosopher, who was brought into question before a judgment-seat, as now I am, for maintaining that there was but one only true God, against the multiplicity of the superstitious heathen Gods; and he was so little in love with his own life upon this account, (wherein he knew the right was on his side) that he could not be persuaded by his friends to make any defence, but would choose rather to put it upon the conscience and

determination of his judges, to decide that wherein he knew not how to make any choice of his own, as to what would be best for him, whether to live or to die; he ingenuously professing that for ought he knew, it might be much to his prejudice and loss, to endeavour longer continuance in this bodily life.

The other example is that of a chief governor, (Codrus,) that, to my best remembrance, had the command of a city in Greece, which was besieged by a potent enemy, and brought into unimaginable straits. Hereupon the said governor makes his address to the Oracle, to know the event of that danger. The answer was, 'That the city should be safely preserved, if the chief governor were slain by the enemy.' He understanding this, immediately disguised himself, and went into the enemy's camp, amongst whom he did so comport himself, that they unwittingly put him to death; by which means, immediately safety and deliverance arose to the city, as the Oracle had declared. So little was his life in esteem with him, when the good and safety of his country required the laying of it down.]

As to other pertinent Queries, thou mayest see them, Reader, in other parts of this Trial.

That which remains as an Appendix to the Bill of Exceptions, is to lay before thee the grounds which plainly shew that there was a downright conspiracy in sir Henry Vane's tenants and others, to prosecute him for life and estate, under colour and pretence of justice.

1. Presently after I was committed to the Tower for High-Treason, and made a close prisoner, Mr. O'Neale, sir William Darcy, and Dr. Cradock, obtained an order from the king to seize and take into their possession all the estates of such persons that were already, or should be forfeited to his majesty.

Hereupon the said Mr. O'Neale and sir Wm. Darcy appointed some under them, in the bishoprick of Durham, (by name Thomas Bowes, esq. now deceased, and capt. William Darcy) to join with the said Dr. Cradock, to put in execution the said Warrant, as their deputies; who thereupon went to Raby-Castle, and demanded the Rent-Books of Thomas Mowbray my steward, offering him his place under them, which he refused.

Contrary to this proceeding, sir Edward Coke expressly declares, 'That before indictment, the goods or other things of any offender cannot be searched, inventoried, or in any sort seized; nor after indictment, seized, moved or taken away before conviction or attainder, Instit. Part. 3. c. 133, concerning the Seizure of Goods, &c. for offences, &c. before conviction.'

2. At the instance and prosecution of my tenants and others, an Order was made by the House of Commons (not of the Lords) requiring the tenants of such persons as were excepted out of the General Pardon, to detain their rents in their own hands. By pretence of this Order, (though that parliament that

made it were dissolved) the tenants refused to pay their respective rents as they grew due, contrary to all law and equity; and joined together in open defiance and conspiracy against their landlord.

3. The said Tenants (when legally prosecuted in his majesty's courts at Westminster, for the recovery of the said rents out of their hands) did petition the said House of Commons to put a stop to such legal prosecution and suits, which motion of theirs put the House into a great heat and violence against me, insomuch as that they had almost passed a Vote to sequester all my estate, though unheard or unconvicted.

4. William Watson, of Cockfield, and other of the said tenants, have continued in London to carry on this conspiracy against me; by whose means, with others, the king hath been importuned to send for men from the isle of Scilly, in order to this trial.

5. By common fame (which at least affords a strong presumption) my goods and estate have been long begged by several persons, and granted; whereas the begging of the goods and estate of any delinquent, accused or indicted of treason, before he be convicted and attainted, is utterly unlawful; because till then nothing is forfeited to the king, and so not his to dispose of; as sir Edward Coke shews in the fore-mentioned chapter about the Seizure of Goods, &c.

6. I am credibly informed, that about December last a certain captain came from the duke of Albemarle to captain Linn, with threatening language, that if he would not confess things against sir Henry Vane, he should be fetched up before the Council, and made to do it. Linn answered, He knew nothing against sir Henry Vane, nor had any orders from him, but from the parliament and council.

The same captain came again, about a fortnight after, from the duke of Albemarle, with a parcel of fine words, That if he the said Linn would testify, That sir Henry Vane was in the head of his regiment, and that he received orders from him, the duke of Albemarle would gratify him with any civility he should desire. Linn replied, he knew no regiment sir Henry Vane had; but that it was the parliament's and council of state's regiment. The same captain came again to him from the duke of Albemarle, and told him, the duke desired him to testify sir Henry Vane's being in the head of his regiment, and that he received orders from him to fight sir George Booth. Linn replied, He knew no such things. The captain told him as from the duke, he should have any place or office in the court: Be not afraid to speak, said he, I warrant you we shall hang sir Henry Vane, for he is a rogue.

7. I am credibly informed, That one of the grand jury declared, That after the bill of indictment against me was brought, in, some from the king's council came to desire them, they would please to come into the inward Court of Wards: Upon which, one of the jury

said, They were there to judge of matters brought before them, and ought not to go in thither; but if the counsel had any thing to say, they ought to come to them. This was seconded by some; others said, They were the king's Counsel, and it was but matter of civility to grant them their request. Whereupon they went into the inward court of wards, where the king's Counsel were, to wit, attorney-general Palmer, solicitor-general Finch, serjeant Glynne and serjeant Keeling. After a while they caused all to withdraw but the jury. Then the clerk read the Indictment in the usual form for levying war from 1659. After it was read, one of the counsel told them, It was a bill of high treason against his majesty, and they were to consider of it according to their evidence. Then they proceeded to examine their witnesses.

Jefford said sir H. Vane offered him a commission to go against sir George Booth; which, said serjeant Keeling, was to go against the king.

Wright being examined, whether he saw sir Henry Vane in the council, said yes. The attorney-general replied, That if he was amongst them, they might find the bill upon that.

Upon this the jury withdrew, and were by themselves. Then sir John Cropley, the Foreman, said, We must pass this bill: At which all the jury were silent. At last, one stood up and said; 'This bill contains matter of fact, and matter of law. Some of this jury, to my knowledge, were never of any jury before, as well as I, therefore ignorant of the law, (in so difficult and unusual a point as this is) and consequently could not give in their verdict, as to law, but only fact.' Several others of the jury seconded him in this; and protested against giving in their verdict, as to matter of law: Notwithstanding all which, the bill was carried up to the King's bench.

8. On the day of my arraignment, an eminent person was heard to say, I had forfeited my head, by what I said that day, before ever I came to my defence: What that should be, I know not, except my saying in open court, 'Sovereign Power of Parliament,' which the attorney general writ down, after he had promised, at my request, no exceptions should be taken at words. And whole volumes of lawyers books pass up and down the nation with that title, Sovereign Power of Parliament.

9. Six moderate men that were like to consider of what they did, before they would throw away my life were summoned to be of my petty jury; which the king's counsel, hearing, writ a letter to one of the sheriffs not to summon them: And a new list was made the night immediately before the day of verdict, on purpose that the prisoner might not have any knowledge of them, till presented to his view and choice in Westminster-hall. Yet one of the forty-eight of this list (who said, He would have starved himself before he would have found sir Henry Vane guilty of treason) was never called, though he walked in the hall all the while. And in that hurry of those that compassed him about, he being alone stripp'd of

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all assistance, sir William Roberts, foreman, and sir Christopher Abdy, were sworn by the court, before I was aware; so my challenging them might seem a personal disoblighing and exasperation of them against me, after they were sworn and fixed.

The Solicitor also had a long whisper with the Foreman of the Jury in the court, before they went to verdict, telling him, 'The prisoner must be sacrificed for the nation,' &c.

Suddenly after which, I am here called to receive my Sentence.

10. After the day of my trial, the Judges went to Hampton court.

11. None were more forward to absolve the King from his grant about my life, than they that had appeared most forward in promoting the bill by way of Petition to the king for it. This grant being upon record, may seem to have the same validity that other acts of parliament have: which are still but the two Houses Petition to the king for his assent to the bills by them drawn up and passed. They used this as a means to induce the king to exempt me from all benefit of the act of indemnity and oblivion; and then at last persuade and absolve him from making good this grant also, thereby depriving me of all visible relief for my life. I conceived my life as secure by that grant, as others lives or estates are by the Act of Indemnity itself; for what is that, but the bill of both Houses, with the king's assent to it, upon their Petition.

The PETITION of both Houses of Parliament to the King's most excellent Majesty, on the behalf of Sir HENRY VANE, and Colonel JOHN LAMBERT, after they left them incapable of having any benefit of the Act of Indemnity.

'To the King's most excellent majesty;

The humble Petition of the Lords and Commons assembled in parliament, sheweth; That your majesty having declared your gracious pleasure to proceed only against the immediate murderers of your royal father; we your majesty's most humble subjects, the Lords and Commons assembled, not finding sir Henry Vane nor col. Lambert to be of that number, are humble suitors to your majesty, that if they shall be attainted, That execution, as to their lives, may be remitted. And as in duty bound, &c.'

The said Petition being read, it was agreed to, and ordered to be presented to his majesty by the Lord Chancellor.

The Lord Chancellor reported, That he had presented the Petition of both Houses to the king's majesty, concerning sir Henry Vane and col. Lambert, and his majesty grants the desires in the said Petition*.

JOHN BROWN, *Cler. Parliamentorum*.

* Harris, in his *Life of Charles 2.* vol. 2. p. 34, gives the following copy of an Original Letter, written from 'Hampton Court, Saturday two in the afternoon.'

'The relation that hath been made to me of

Whereupon the usual Sentence was pronounced against him.

After Sentence, chief justice Forster endeavoured to persuade the king, that he lay under no obligation by granting the Petition of both Houses, saying, 'That God, though full of mercy, yet intended his mercy only for the penitent.'—By which means the king was wrought on (notwithstanding his engagement to the contrary) to sign a Warrant for his Execution, that he should be beheaded on Tower-Hill, the 14th of June.

The day before his Execution his friends had liberty to visit him, he received them with very great cheerfulness*; and when they would have

'sir H. Vane's carriage yesterday, in the Hall, is the occasion of this letter; which if I am rightly informed, was so insolent as to justify all he had done, acknowledging no supreme power in England, but a parliament; and many things to that purpose. You have had a true account of all; and if he has given new occasion to be hanged, certainly he is too dangerous a man to let live, if we can honestly put him out of the way. Think of this and give me some account of it to-morrow: till when I have no more to say to you. To the Chancellor.' In the possession of James West, esq. of Covent garden.

* Burnet, upon hearsay, imputes to Vane the want of natural bravery. This imputation it is scarcely fair to admit in opposition to the testimony of Ludlow, and of Vane's public conduct recorded in history. The Bishop represents him to be "a very fearful man, who, when he saw his death was designed, composed himself to it with a resolution that surprised all, who knew how little of that was natural to him." And this composure it seems prompted him to "some very extraordinary acts of resolution; though they cannot be mentioned with decency."

["It is said, the Lady Vane began her reckoning for her son, the Lord Barnard, from the night before Sir Henry lost his head on Tower Hill." Oldmixon.]

From adopting the ludicrous parts of Burnet's story, Hume's taste prevented him. But when he was to paint the character of Vane, a contrast between constitutional cowardice and enthusiastic courage, imparted by the fanaticism of glory and religion, at the approach of death, presented an occasion, which he has not neglected, at once to heighten the effect of his colouring, and to exhibit an eloquent though concise display of philosophical reflection.

Certainly through the whole of these proceedings Vane betrayed no want of courage. Nor was his conduct towards Cromwell that of a timid man; see the proceedings against him A. D. 1654. *supra*, vol. 5. p. 791. See also the accounts given by the historians of his conduct when Cromwell by force ejected the parliament on the 19th of April 1653. Hume, in his abstract, somewhat overstates parts of Vane's speeches on his trial.

Ludlow, who must have known Vane as well

persuaded him to make some submission to the king, and to endeavour the obtaining of his life; he said, 'If the king did not think him- self more concerned for his honour and word, than he did for his life, he was very willing they should take it. Nay, I declare, said he, that I value my life less in a good cause, than, the king can do his promise.' And when some others were speaking to him, of giving some thousands of pounds for his life; he said,

as any man did, writes thus: "In the month of July 1662, I received letters from England with an account of the trial, sentence, and death of sir Henry Vane; of which I shall only say, that he behaved himself on all those occasions in such a manner, that he left it doubtful, whether his eloquence, soundness of judgment, and presence of mind, his gravity and magnanimity, his constant adherence to the cause of his country, and heroic carriage during the time of his confinement, and at the hour of death; or the malice of his enemies, and their frivolous suggestions at his trial, the breach of the public faith in the usage he found, the incivility of the bench, and the savage rudeness of the sheriff, who commanded the trumpets several times to sound that he might not be heard by the people, were most remarkable.

"The following account of this (and another transaction, which I care not to insist upon) being sent to me at Geneva, I may not omit to insert in this place; because it seems to give the true reasons of the court of England for hurrying sir Henry Vane out of the world.

"On Friday last, being the 16th of this instant June 1662, sir Henry Vane pleaded for his life, and maj.-gen. Lambert for his: or rather, the first pleaded for the life and liberties of his country, and the other for his own. The issue in all appearance will be, that sir Henry will be put to death, and Lambert pardoned, though both are under sentence of condemnation. The reason of this distinction is no other than the manner of their defence; the one alledging the authority of the great parliament for his justification, and that he was indemnified by the act of amnesty; the other meanly extenuating and excusing what he did against sir George Booth and Monk, (which was the principal part of the accusation against him), by pleading ignorance of their intentions, neither of them having declared that they designed to restore the king; and Monk, on the contrary, having openly declared for the restitution of the parliament. Sir Henry Vane was long in his defence, but not tedious. He much perplexed both court and counsel; and has acquired eternal reputation, by nobly pleading for the dying liberties of his country; it being clear, that all the party which seemed to be indemnified by the act of amnesty, shall be punished in his person; and that for this cause only, That, in his pleading, he undertook, by the authority of the said parliament, to justify what he had done; maintaining, that the House of Com-

'If a thousand farthings would gain it, he would not give it; and if any should attempt to make such a bargain he would spoil their market: For I think the king himself, so sufficiently obliged to spare my life, that it is fitter for him to do it, than myself to seek it.'

On Saturday the day of his Execution, he said to a friend, God bid Moses go to the top of Mount Pisgah and die; so he bid him go up to the top of Tower-hill and die.

mons, representing the whole body of the people, in case of difference between the authority royal and politic, possesses a just power to defend the rights of the people, and to authorise the people of England, and every one of them, to defend them.

"Sir Henry Vane was a gentleman of an ancient family in the county of Durham: eldest son to sir Henry Vane, who had been secretary of state, and comptroller of the household, to the late king. Being scandalized with the innovations brought into the public worship, he went to New England, and remained there for the space of five or six years; the two last of which he was consecutively chosen governor of that country, though not exceeding the age of 24 years. In the beginning of the great parliament, he was elected to serve his country among them, without the least application made on his part to that end. And in this station he soon made appear how capable he was of managing great affairs; possessing, in the highest perfection, a quick and ready apprehension, a strong and tenacious memory, a profound and penetrating judgment, a just and noble eloquence, with an easy and graceful manner of speaking. To these were added, a singular zeal and affection for the good of the commonwealth, and a resolution and courage not to be shaken or diverted from the public service. He had been removed by the late king from being treasurer of the navy, for performing his duty in the House of Commons; and being restored to that employment by the parliament, he freely contributed one half of the profits, amounting to the sum of 2,000*l.* yearly, towards carrying on the war for the liberties of England. When that war was ended, he put the receipt for the navy in such a way, that, by order of the parliament, the whole expence of that office exceeded not 1,000*l.* by year; men being brought by this means to understand, that they were not placed in employments to serve themselves, but to serve the public. And that this conduct was not mistaken, the successes of our arms by sea against Portugal, France, Holland, and other enemies, did abundantly manifest. When Cromwell had treacherously advanced himself upon the ruins of the commonwealth, he would not be induced by any means to favour or countenance his usurpation; chusing rather to suffer imprisonment and other hardships, than to comply with tyranny under any form. Upon the return of king Charles, being conscious to himself of having done nothing in relation to public

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Several friends being with him in his chamber this morning, he oft encouraged them to cheerfulness, as well by his example as expression. In all his deportment, he shewed himself marvellously fitted to meet the King of Terrors, without the least affrightment. But to shew where his strength lay, he said, He was a poor unworthy wretch, and had nothing but the grace and goodness of God to depend upon. He said moreover, Death shrunk from him, rather than he from it. Upon the occasion of parting with his relations, he said, There is some flesh remaining yet, but I must cast it behind me and press forward to my Father.

Then one of the Sheriff's men came in and told him, There was no sledge to come, but he was to walk on foot. A circumstance very singular, and never used to those who were executed at that place.

He told his friends, the Sheriff's chaplain came to him at twelve of the clock that night, with an order for his Execution, telling him, he was come to bring him that fatal message of death. I think, friends, that in this message was no dismalness at all. After the receipt of which, I slept four hours so soundly, that the Lord hath made it sufficient for me, and now I am going to sleep my last, after which I shall need sleep no more.

Then Mr. Sheriff coming into the room, was friendly saluted by him, and after a little pause communicated a prohibition that he said he had received, which was, That he must not speak any thing against his majesty or the government. His answer to this he himself relates on the Scaffold. He further told Mr. Sheriff, he was ready; but the Sheriff said he was not, nor could be this half hour yet: Then, sir, it rests on you, not on me (said sir Henry,) for I have been ready this half hour. Then the Sheriff, at his request, promised him his servants should attend him on the Scaffold, and be civilly dealt with; neither of which were performed: (notwithstanding this promise) they were beaten and kept off the Scaffold, till he said, What, have I never a servant here?

After this, one of the Sheriff's men came
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 affairs, for which he could not willingly and cheerfully suffer, he continued at his house in Hampstead near London; where, under false and unworthy pretences, that he had engaged in counsels with some of the army to drive him out of England again, he was seized and imprisoned in the Tower: from whence he was carried from one place to another for the space of about two years; after the expiration of which, they who feared his abilities, and knew his integrity, thought convenient to violate the public faith, and, under a form of law, to put him to death."

A Life of Vane was published in the year of his execution, 1662. And he has an article in the Biographia Britannica. Some curious particulars of him are also to be found in 1 Hutchinson's Hist. of Massachusetts Bay 41—67.

and told him, there must be a Sledge, to which Sir Henry replied, Any way, how they please, for I long to be at home, to be dissolved and to be with Christ, which is best of all. He went very cheerfully and readily down the stairs from his chamber, and seating himself on the sledge (friends and servants standing about him) then he was forthwith drawn away towards the Scaffold. As he went, some in the Tower (Prisoners as well as others) spake to him, praying the Lord to go with him. And after he was out of the Tower, from the tops of houses, and out of windows, the people used such means and gestures as might best discover, at a distance, their respects and love to him, crying aloud, 'The Lord go with you, the great God of Heaven and Earth appear in you, and for you;' whereof he took what notice he was capable in those circumstances, in a cheerful manner accepting their respects, putting off his hat and bowing to them. Being asked several times, how he did, by some about him, he answered, Never better in all my life. Another replied, How should he do ill that suffers for so glorious a cause? To which a tall black man said, Many suffered for a better cause; and may for a worse, said sir Henry; wishing, that when they come to seal their better cause (as he called it) with their blood (as he was now going to seal his) they might not find themselves deceived; and as to this cause, said he, it hath given life in death to all the owners of it, and sufferers for it.

Being passed within the rails on Tower-Hill, there were loud acclamations of the people, crying out, The Lord Jesus go with your dear soul, &c. One told him, That was the most glorious seat he ever sat on; he answered, It is so indeed, and rejoiced exceedingly.

Being come to the Scaffold, he cheerfully ascends, and being up, after the crowd on the Scaffold was broken in two pieces, to make way for him, he shewed himself to the people on the front of the Scaffold, with that noble and christian-like deportment, that he rather seemed a looker on, than the person concerned in the Execution, insomuch that it was difficult to persuade many of the people that he was the prisoner. But when they knew that the gentleman in the black suit and cloke (with a scarlet silk waistcoat, the victorious colour shewing itself at the breast) was the prisoner, they generally admired that noble and great presence he appeared with. How cheerful he is! said some: He does not look like a dying man! said others; with many like-speeches, as astonished with that strange appearance he shined forth in.

Then (silence being commanded by the Sheriff) lifting up his hands and eyes towards Heaven, and resting his hands on the rails; and taking a very serious, composed, and majestic view of the great multitude about him, he spake as follows:

" Gentlemen, Fellow Countrymen, and Christians:

" When Mr. Sheriff came to me this morning, and told me he had received a command from the king, that I should say nothing reflecting upon his majesty or the government; I answered, I should confine and order my speech, as near as I could, so as to be least offensive, saving my faithfulness to the trust reposed in me, which I must ever discharge with a good conscience unto death; for I ever valued a man according to his faithfulness to the trust reposed in him, even on his majesty's behalf, in the late controversy. And if you dare trust my discretion, Mr. Sheriff, I shall do nothing but what becomes a good Christian and an Englishman; and so I hope I shall be civilly dealt with.

" When Mr. Sheriff's chaplain came to me last night about twelve of the clock, to bring me, as he called it, the fatal message of death, it pleased the Lord to bring that scripture to my mind in the 3d of Zechariah, to intimate to me, that he was now taking away my filthy garments, causing my iniquities to pass from me, with intention to give me change of raiment, and that my mortal should put on immortality.

" I suppose you may wonder when I shall tell you that I am not brought hither according to any known Law of the Land. It is true, I have been before a court of justice (and am now going to appear before a greater Tribunal, where I am to give an account of all my actions;) under their Sentence I stand here at this time. When I was before them, I could not have the liberty and privilege of an Englishman, the grounds, reasons, and causes of the actings I was charged with duly considered; I therefore desired the Judges that they would set their seals to my Bill of Exceptions; I pressed hard for it again and again, as the right of myself and every free-born Englishman by the Law of the Land, but was finally denied it—

Here sir John Robinson (lieutenant of the Tower) interrupted him, saying; Sir, you must not go on thus, and (in a furious manner, generally observed even to the dissatisfaction of some of their own attendants) said that he railed against the Judges, and that it was a lye, and I am here, says he, to testify that it is false.

Sir Henry Vane replied, " God will judge between me and you in this matter. I speak but matter of fact, and cannot you bear that? 'Tis evident the Judges have refused to sign my Bill of Exceptions"—Then the trumpets were ordered to sound or murre in his face, with a contemptible noise, to hinder his being heard: At which sir Henry (lifting up his hand, and then laying it on his breast) said, " What mean you, Gentlemen? Is this your usage of me? Did you use all the rest so? I had even done, as to that, could you have been patient, but seeing you cannot bear it, I shall only say this, That

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whereas the Judges have refused to seal that with their hands that they have done, I am come to seal that with my blood that I have done. Therefore leaving this matter, which I perceive will not be borne, I judge it meet to give you some account of my life.

" I might tell you I was born a gentleman, had the education, temper, and spirit of a gentleman, as well as others, being (in my youthful days) inclined to the vanities of this world, and to that which they call Goodfellowship, judging it to be the only means of accomplishing a gentleman. But about the 14th or 15th year of my age (which is about 34 or 35 years since) God was pleased to lay the foundation or ground work of Repentance in me, for the bringing me home to himself, by his wonderful, rich, and free grace, revealing his Son in me, that by the knowledge of 'The only true God, and Jesus Christ whom he hath sent,' I might (even whilst here in the body) be made partaker of eternal life in the first fruits of it.

" When my conscience was thus awakened, I found my former course to be disloyalty to God, profaneness, and a way of sin and death, which I did with tears and bitterness bewail, as I had cause to do. Since that foundation of repentance laid in me, through grace I have been kept stedfast, desiring to walk in all good conscience towards God and towards men, according to the best light and understanding God gave me. For this I was willing to turn my back upon my estate, expose myself to hazards in foreign parts; yea, nothing seemed difficult to me, so I might preserve faith and a good conscience, which I prefer before all things; and do earnestly persuade all people rather to suffer the highest contradictions from men, than disobey God, by contradicting the light of their own conscience. In this it is I stand with so much comfort and boldness before you all this day, and upon this occasion, being assured that I shall at last sit down in glory with Christ, at his right hand. I stand here this day to resign up my spirit into the hands of that God that gave it me. Death is but a little word, but it is a great work to die; it is to be but once done, and after this cometh the judgment, even the judgment of the great God, which it concerns us all to prepare for. And by this act I do receive a discharge once for all out of prison, even the prison of the mortal body also, which, to a true Christian, is a burdensome weight.

" In all respects, where I have concerned and engaged, as to the public, my design hath been to accomplish good things for these nations. Then (lifting up his eyes, and spreading his hands) he said, I do here appeal to the great God of Heaven, and all this assembly, or any other persons, to shew wherein I have defiled my hands with any man's blood or estate, or that I have sought myself in any public capacity or place I have been in. The Cause was three times stated. First, In the Remonstrance of the House of Commons. Secondly, In the Covenant, the Solemn League and Covenant."

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Upon this the trumpets sounded, the Sheriff caught at the Paper in his hand; and sir John Robinson, who at first had acknowledged that he had nothing to do there, wishing the Sheriff to see to it, yet found himself something to do now, furiously calling for the writers books, and saying, He treats of Rebellion, and you write it. Hereupon six Note-Books were delivered up. The Prisoner was very patient and composed under all these injuries, and soundings of the trumpets several times in his face, only saying, It was hard he might not be suffered to speak; but, says he, my usage from man is no harder than was my Lord and Master's; and all that will live his life this day, must expect hard dealing from the worldly spirit.

The trumpets sounded again, to hinder his being heard, then again Robinson, and two or three others, endeavoured to snatch the Paper out of sir Henry's hand; but he kept it for a while, now and then reading part of it; afterwards, tearing it in pieces, he delivered it to a friend behind him, who was presently forced to deliver it to the Sheriff. Then they put their hands into his pockets for papers (as was pretended), which bred great confusion and dissatisfaction to the spectators, seeing a prisoner so strangely handled in his dying words.

The Prisoner suspecting beforehand the disorder aforementioned, writ the main substance of what he intended to speak on the scaffold in that Paper they caught at, and which he tore in pieces, delivering it to a friend, from whom the Sheriff had it, as abovesaid; the true copy whereof was, by the Prisoner, carefully committed to a safe hand before he came to the scaffold, which take as follows:

"The work which I am at this time called unto, in this place (as upon a public theatre) is to die, and receive a discharge once for all, out of prison, to do that which is to be done; the doing or not doing of which well, and as becomes a Christian, does much depend upon the life we have been taught of God to lead, before we come to this: They that live in the faith do also die in it; Faith is so far from leaving Christians in this hour, that the work of it breaks forth then into its greatest power, as if till then it were not enough at freedom to do its office, that is, to look into the things that are unseen with most steadfastness, certainty, and delight, which is the great sweetener of death and remover of its sting.

"Give me leave therefore, in a very few words, to give you an account of my life, and of the wonderful great grace and mercy of God, in bringing me home to himself, and revealing his son in me; that by the knowledge of the only true God, and Jesus Christ whom he hath sent, I might (even whilst here in the body) be made partaker of eternal life, in the first fruits of it, and at last sit down with Christ in glory at his right hand.

"Here I shall mention some remarkable passages and changes of my life; in particular, how unsought for by myself I was called to be a Member of the Long Parliament, what little

advantage I had by it, and by what steps I became satisfied with the cause I was engaged in, and did pursue the same.

"What the cause was, did first shew itself in the first Remonstrance of the House of Commons. Secondly, In the Solemn League and Covenant. Thirdly, In the more refined pursuit of it by the Commons House, in their Actings single; with what result they were growing up into, which was in the breast of the House, and unknown; or what the three proposals, mentioned in my Charge, would have come to at last, I shall not need now to say; but only, from all put together, to assert, That this cause which was owned by the parliament, was the cause of God, and for the promoting of the kingdom of his dear Son Jesus Christ, wherein are comprehended our liberties and duties, both as men and as Christians.

"And since it hath pleased God, who separated me from the womb to the knowledge and service of the Gospel of his Son, to separate me also to this hard and difficult service at this time, and to single me out to the defence and justification of this his cause, I could not consent, by any words or actions of mine, that the innocent blood that hath been shed in the defence of it, throughout the whole war (the guilt and moral evil of which must and does certainly lie somewhere), did lie at my door, or at theirs that have been the faithful adherers to this cause. This is with such evidence upon my heart that I am most freely and cheerfully willing to put the greatest seal to it I am capable, which is, the pouring out of my very blood in witness to it; which is all I shall need to say in this place and at this time, having spoken at large to it in my defence at my trial, intending to have said more the last day, as what I thought was reasonable for a rest of the Judgment, but I was not permitted then to speak it; both which may, with time and God's providence, come to the public view.

"And I must still assert, that I remain wholly unsatisfied that the course of proceedings against me at my Trial were according to law, but that I was run upon and destroyed, contrary to right, and the liberties of Magna Charta, under the form only of justice; which I leave to God to decide, who is the Judge of the whole world, and to clear my innocence; whilst in the mean time I beseech him to forgive them; and all that have had a hand in my death; and that the Lord, in his great mercy, will not lay it to their charge.

"And I do account the lot of mine no other than what is to be expected by those that are not of the world, but whom Christ hath chosen out of it; for the servant is not greater than his lord: And if they have done this to the green tree, they will do it much more to the dry.

"However, I shall not altogether excuse myself. I know, that by many weaknesses and failures, I have given occasion enough of the ill usage I have met with from men, though

in the main, the Lord knows the sincerity and integrity of my heart, whatever aspersions and reproaches I have or do lie under. I know also that God is just in bringing this sentence and condemnation upon me for my sins; there is a body of sin and death in me deserves this sentence; and there is a similitude and likeness also, that, as a christian, God thinks me worthy to bear with my Lord and head, in many circumstances, in reference to those dealings I have met with; in the good I have been endeavouring for many years to be doing in these nations, and especially now at last, in being numbered among transgressors, and made a public sacrifice, through the wrath and contradictions of men, and in having finished my course, and fought the good fight of faith, and resisted in a way of suffering, as you see, even unto blood.

"This is but the needful preparation the Lord hath been working in me, to the receiving of the crown of immortality, which he hath prepared for them that love him. The prospect whereof is so clearing, that through the joy (in it) that is set before the eyes of my faith, I can, through mercy, 'endure the cross, despite this shame,' and am become 'more than conqueror,' through Christ that hath loved me.

"For my Life, Estate and all, is not so dear to me as my service to God, to his cause, to the kingdom of Christ, and the future welfare of my country; and I am taught, according to the example, as well as that most christian saying of a noble person,* that lately died after this public manner in Scotland; 'How much better it is to choose affliction and the cross, than to sin or draw back from the service of the living God, into the ways of apostacy and perdition?'

"That noble person, whose memory I honour, was with myself at the beginning and making of the Solemn League and Covenant; the matter of which, and the holy ends therein contained, I fully assent unto, and have been as desirous to observe; but the rigid way of prosecuting it, and the oppressing uniformity that hath been endeavoured by it, I never approved. This were sufficient to vindicate me from the false aspersions and calumnies which have been laid upon me, of Jesuitism and Popery, and almost what not, to make my name of ill savor with good men; which dark mists do now dispel of themselves, or at least ought, and need no pains of mine in making an apology. For if any man seek a proof of Christ in me, let him read it in this action of my death, which will not cease to speak when I am gone: And henceforth let no man trouble me, for I bear in my body the marks of the Lord Jesus.

"I shall not desire in this place to take up much time, but only, as my last words, leave this with you: That as the present storm we now

* He seems to intend the marquis of Argyle, who spoke to that effect.

lie under, and the dark clouds that yet hang over the reformed churches of Christ, (which are coming thicker and thicker for a season) were not unforeseen by me for many years past (as some writings of mine declare;) So the coming of Christ in these clouds, in order to a speedy and sudden revival of his cause, and spreading his kingdom over the face of the whole earth, is most clear to the eye of my faith, even that faith in which I die, whereby the kingdoms of this world shall become the kingdom of our Lord, and of his Christ. Amen. Even so, come, Lord Jesus."

Before the stroke, he spake to this effect: 'I bless the Lord, who hath accounted me worthy to suffer for his name.—Blessed be the Lord that I have kept a conscience void of offence to this day. I bless the Lord I have not deserted the righteous cause for which I suffer.' When he laid his neck on the block he concluded his life with these words: 'Father, glorify thy servant in the sight of men, that he may glorify thee in the discharge of his duty to thee and to his country.' Upon which the executioner did his office.*

Hume, speaking of Vane, says, "This man, so celebrated for his parliamentary talents, and for his capacity in business, has left some writings behind him: They treat, all of them, of religious subjects, and are absolutely unintelligible, no traces of eloquence, or even common sense appears in them: a strange paradox! did we not know, that men of the greatest genius, where they relinquish by principle the use of their reason, are only enabled, by their vigour of mind, to work themselves the deeper into error and absurdity." Burnet, after noticing the mercy shewn to Martin, Goodwin and Milton, says, "But as the sparing these persons was much censured, so on the other hand the putting sir Henry Vane to death was as much blamed: For the Declaration from Breida being full for an indemnity to all, except the Regicides, he was comprehended in that; since, though he was for changing the government, and deposing the king, yet he did not approve the putting of him to death, nor of the force put on the parliament, but did for some time, while these things were acted, withdraw from the scene. This was so represented by his friends, that an address was made by both

* "He died in the very same place on Tower-hill (says that great dealer in judgments, Mr. Richard) with the famous earl of Strafford. And it is farther observed, that as he was the first man that opened the fountain of blood that over-run the English nation, so he was the last that closed it up in his own execution." Ralph. The latter observation Mr. Hume has thought worth insertion in his History, without notice of its antiquity. It has been said with sufficient probability, that Vane owed his doom to his share in the proceedings against Strafford. See vol. 3. p. 1442.

houses on his behalf, to which the king gave a favourable answer, though in general words. So he reckoned that he was safe, that being equivalent to an act of parliament, though it wanted the necessary forms. Yet the great share he had in the attainder of the earl of Strafford, and in the whole turn of affairs to the total change of government, but above all the great opinion that was had of his parts and capacity to embroil matters again, made the Court think it was necessary to put him out of the way. He was naturally a very fearful man: This one who knew him well told me, and gave me eminent instances of it. He had a head as darkened in his notions of religion, as his mind was clouded with fear: For though he set up a form of religion in a way of his own, yet it consisted rather in a withdrawing from all other forms, than in any new or particular opinions or forms; from which he and his party were called Seekers, and seemed to wait for some new and clearer manifestations. In these meetings he preached and prayed often himself, but with so peculiar a darkness, that though I have sometimes taken pains to see if I could find out his meaning in his works, yet I could never reach it. And since many others have said the same, it may be reasonable to believe he hid somewhat that was a necessary key to the rest. His friends told me, he leaned to Origen's notion of a universal salvation of all, both of devils and damned, and to the doctrine of pre-existence. When he saw his death was designed, he composed himself to it, with a resolution that surprised all who knew how little of that was natural to him. Some instances of this were very extraordinary, though they cannot be mentioned with decency. He was beheaded on Tower-hill, where a new and very indecent practice was begun. It was observed, that the dying speeches of the Regicides had left impressions on the hearers, that were not at all to the advantage of the government. So strains of a peculiar nature being expected from him, to prevent that, drummers were placed under the scaffold, who as soon as he began to speak to the public, upon a sign given, struck up with their drums. This put him in no disorder. He desired they might be stopped, for he understood what was meant by it. Then he went through his devotions. And, as he was taking leave of those about him, he happening to say somewhat with relation to the times, the drums struck up a second time: So he gave over, and died with so much composure, that it was generally thought, the government had lost more than it had gained by his death."

Among those that censured the mercy shewn to Milton, we may suppose the author of "*Regii Clamor Sanguinis, &c.*" to be one. After citing a very obnoxious passage of Cromwell's, he says, "*Ejusmodi sesamo et papavere conspresæ sunt infames Miltoni paginæ, à carnice Parisiensi, supremi senatus auctoritate, nuperrime crematæ, utinam et scriptor.*" The admirers of *Paradise Lost* have

no obligations, for the pleasure which they have enjoyed from that work, to Peter du Moulin the younger.

Oldmixon thinks that Burnet, in saying, "Some extraordinary instances of Vane's resolution cannot be mentioned with decency," is too delicate."

"Among the foremost rank of those heroic characters who sat at the helm during the short period of the much execrated Long Parliament," says Mrs. Macaulay, "stands sir Henry Vane, whose honesty was too pure to be corrupted by the rigour of persecution, or the emoluments of office and the enjoyment of power, whose judgment was too sound to be depraved by that high enthusiasm in religion into which a fine imagination is so apt to deviate, when in contemplating divine subjects it ranges beyond the bounds of human knowledge and experience, whose resolution was so philosophical as in the sufferance of his martyrdom to conquer the almost irresistible influence of natural timidity, and whose abilities were so eminent as when reduced to the state of a prisoner to give terror to a powerful government. With the highest degree of enthusiasm in religion he preserved the liberality of sentiment, and candour of a philosopher in the important point of a philosopher, and he is perhaps a singular instance in the being equal to the most important transactions of this world whilst his thoughts were constantly bent on the sublimest concerns of another state."

Clarendon, after mentioning that Vane was the principal contriver of the Covenant, and that the Commissioners in Scotland were entirely and stupidly governed by him, adds,

"He was indeed a man of extraordinary parts, a pleasant wit, a great understanding, which pierced into, and discerned the purposes of other men with wonderful sagacity, whilst he had himself *vultum clausum*, that no man could make a guess of what he intended. He was of a temper not to be moved, and of rare dissimulation, and could comply when it was not reasonable to contradict, without losing ground by the condescension; and if he were not superior to Mr. Hampden, he was inferior to no other man, in all mysterious artifices. There need no more be said of his ability, than that he was chosen to cozen, and deceive a whole nation that was thought to excel in craft and cunning: which he did with notable pregnancy and dexterity, and prevailed with a people, that could not otherwise be prevailed upon than by advancing their idol presbytery, to sacrifice their peace, their interest, and their faith, to the erecting a power and authority that resolved to persecute presbytery to an extirpation; and, in process of time, very near brought their purpose to pass." And in another place he says, "Vane was a man not to be described by any character or religion; in which he had swallowed some of the fancies, and

* See p. 188. note *.

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extravagancies of every sect, or faction; and was become (which cannot be expressed by any other language than was peculiar to that time) a man above ordinances, unlimited, or unrestrained by any rules, or bounds prescribed to other men, by reason of his perfection. He was a perfect enthusiast; and, without doubt, did believe himself inspired; which so far corrupted his reason and understanding (which in all matters without the verge of religion was superior to that of most men) that he did at some time believe, he was the person deputed to reign over the saints upon earth for 1,000 years."

Of the execution of Argyle, Vane, and the Regicides, Mr. Fox writes thus:

"The first years of this reign, under the administration of Southampton and Clarendon, form by far the least exceptionable part of it; and even in this period, the executions of Argyle and Vane, and the whole conduct of the government with respect to church matters, both in England and Scotland, were gross instances of tyranny. With respect to the execution of those who were accused of having been more immediately concerned in the king's death, that of Scrope, who had come in upon

the proclamation, and of the military officers who had attended the trial, was a violation of every principle of law and justice. But the fate of the others, though highly dishonourable to Monk, whose whole power had arisen from his zeal in their service, and the favour and confidence with which they had rewarded him, and not perhaps very creditable to the nation, of which many had applauded, more had supported, and almost all had acquiesced in the act, is not certainly to be imputed as a crime to the king, or to those of his advisers who were of the cavalier party. The passion of revenge, though properly condemned both by philosophy and religion, yet when it is excited by injurious treatment of persons justly dear to us, is among the most excusable of human frailties; and if Charles, in his general conduct, had shown stronger feelings of gratitude for services performed to his father, his character, in the eyes of many, would be rather raised than lowered by this example of severity against the Regicides." Respecting the alleged injunctions of king Charles the 1st, that vengeance should not be taken for his death, See the note to vol. 4, p. 1140, of this Collection.

211. The Trial of JOHN CROOK, ISAAC GREY, and JOHN BOLTON, Quakers, at the Old Bailey, for refusing to take the Oaths of Allegiance and Supremacy:* 14 CHARLES II. A. D. 1662. [Related by John Crook.]

I BEING in John's Street, London, about the 13th day of the 3d month called May, with some others of the people of God to wait upon him, as we were set together, there came in a

rude man called Miller with a long cane in his hand, who laid violent hands upon me, with some others; who having no warrant were not willing to meddle, but as his threatenings pre-

* Mr. East in his *Treatise of the Pleas of the Crown*, ch. 1, s. 19, gives the following summary of the Statutes now in force respecting the not taking the Oaths of Allegiance and Supremacy, and making the Declaration against Popery. "By the act of the 1 Eliz. c. 1, all ancient ecclesiastical jurisdictions were restored and united to the crown, and its supremacy in such matters was finally asserted and established; and an oath to that effect appointed to be taken by all officers and ministers ecclesiastical and civil, on pain, in case of refusal, of the party forfeiting for life every promotion, benefice and office, spiritual and temporal, which he had at the time of such refusal, and being disabled from taking any such preferment to which he was then promoted. This oath was abrogated by the stat. 1 W. and M. c. 8, and another appointed to be taken in lieu of it under the same penalties. By s. 37, of the said stat. of Eliz. the offence must be proved by two witnesses at least.

"All persons required by the stat. 1 Eliz. c. 1, to take the said oath, and all schoolmasters and public and private teachers, barristers, benchers, readers, ancients in any house of

court, &c. attorneys, sheriffs, and officers belonging to the common or any other law, or to the crown, or to any court whatever, shall, by stat. 5 Eliz. c. 1, s. 5, take the said oath in open court before they shall be admitted to any such vocation or office, &c.; and if they belong not to any court, then they shall take the same before such person as shall admit them to such vocation, &c. or before commissioners appointed under the great seal, &c.

"By s. 6, any bishop may tender the said oath to any spiritual person within his diocese, as well in places exempt as others; and by s. 7, commissioners may be appointed by the lord chancellor to tender the same to such persons as by their commission they shall be authorised to do. And by s. 8, if any person compellable by either of the said acts, or appointed by such commissioners to take the said oath, shall refuse to take it on a tender thereof he shall incur a *præmunire*. And by s. 9, such refusal shall be certified within 40 days if in term, or otherwise at the first day of the full term next following the 40 days, into B. R. by the persons having authority to tender such oath, under the penalty of 100*l.*; and the sheriff of the